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GUNPOWDER PLOT


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A TRUE ACCOUNT

OF THE

GUNPOWDER PLOT,

&c.

A TRUE ACCOUNT

OF THE

GUNPOWDER PLOT;

EXTRACTED FROM

DR. LINGARD'S HISTORY OF ENGLAND

AND

DODD'S CHURCH HISTORY,

INCLUDING

THE NOTES AND DOCUMENTS APPENDED TO THE LATTER
BY THE REV. M. A. TIERNEY, F.R.S., F.S.A.

WITH

NOTES AND PREFATORY REMARKS,

BY

VINDICATOR.

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PREFACE.

THERE is a homage to the truth of the Catholic religion even in the assaults of its enemies: there is a tribute of acknowledgment to the virtues and the loyalty of its professors in the very efforts that are made to blacken their reputation. Were the former the degraded system of falsehood and superstition which it is frequently represented, a statement of its acknowledged doctrines would be sufficient to convict it: were the latter guilty of the base and criminal practices so constantly imputed to them, a simple, unimpassioned appeal to their lives and visible bearing would drive them from society and the world. Men do not combat falsehood with misrepresentation; nor do they denounce a real offender on the evidence of fictitious crimes. The fact that they are driven to the necessity of invention, to combat doctrines that were never held, and practices that were never allowed, to seek in the past for the evidences of the present, and to charge upon a body what can be traced only to the misconduct of individuals, is a sure testimony to the truth and to the purity of that which it is their object to vilify and destroy. Nor is this all. It is the characteristic of error to be feeble, fluctuating, and anxious: it is the property of truth to be constant in the unity of its perceptions, and calm in the consciousness of its own power. The assailant who is ever attacking, and ever changing the ground of his attack, may prove his anxiety, his vigilance, the hostility of his purpose, and the boldness of his daring; but he will also prove the weakness of his own resources, and the impregnable resistance of that which he is seeking to overthrow.

It is the privilege of the Catholic church to be assailed from every quarter, and to see a shaft in every subject of dispute that rises about her. No matter how various the enemies by whom she is beset, or how irrelevant the topics that supply the means of annoyance. The infidel and the Christian, the phrenzy of politics and the rancour of religious hatred, alike combine to harass her in her progress. Yet, calm and serene, she still pursues her undeviating course. Neither falsehood, nor calumny, nor the rage of men, nor the malice of her persecutors, can retard her steps. As she was yesterday, she appears to-day. Always attacked but never yielding, always persecuted but never fainting, she rises superior to every assault, and remains uninjured by all the violence of her enemies.

These reflections are not unnaturally suggested by the occurrences of the last three months. During that period, every effort, which malice could put forth, has been employed to denounce and to oppose the restoration of a Catholic hierarchy. The most grotesque alliances have been formed, the most incongruous weapons put into requisition. Orthodoxy has combined with dissent, and infidelity with both, to push on the attack. The High Church and the Low, the Liberal and the Conservative; arguments that contained nothing but their malice, and malice that had no object but the simple luxury of its own gratification,—all have been enlisted in the common cause, and united for the destruction of the religious liberty of Catholics. Yet, among the many remarkable characteristics of the late agitation, nothing, perhaps, is more singular than the indefinite nature of the offence against which it is supposed to have been directed. By one party it is the crown or the constitution, by another the church or its integrity, that is said to have been assailed in the papal letters. The minister trembles for "the *spiritual* independence of the nation;" his right reverend correspondent declares that "the question at issue partakes more of a *civil* than a religious nature." All are agreed to be "indignant," to pronounce the same act either "insidious" or "daring," as suits the purpose of the moment; but few appear to have ascertained the real nature of what they are denouncing, or to have formed a distinct notion of that which has excited so much of their animosity.

Still, with all this uncertainty and disagreement as to the immediate subject of complaint, there is one topic—the abuse and reprobation of the Catholic religion—on which all are sufficiently united. Here there is lack neither of unanimity nor of ardour. The pulpit and the press, the venal orator on his platform, and the courtly prelate responding to the address of his archdeacon, pour forth alike the stream of their invective or their slander against the ancient church. That their charges are untrue is of little consequence: that they have no possible connection with the question in dispute is of no moment. The "worship of images," the "doctrine of purgatory," the "abominations of the confessional," the plots or the devices of some few individuals some two or three centuries ago,—all these may have no more relation to the act of Pope Pius, than to the establishment of the French republic: but still, they contribute to promote the immediate object in view; they serve to inflame the public mind, to raise an outcry against Catholics, to blind the eyes of the people as to the real merits of the point at issue, to prop the falling influence of the establishment, and perhaps even to bring a "queen's chaplain" into notice, or advance a bishop in the path of preferment. With such objects to enkindle their ardour and to provoke their animosity, we can scarcely be surprised that charity should be sometimes forgotten, and truth and honesty treated as ideal virtues. Worldly purposes are accomplished by worldly means. Misrepresentation, and falsehood, and calumny savour but little of heaven: but, for that very reason, they become serviceable in compassing the designs of the earth.

Foremost among the leaders in this unholy warfare is that journal, whose dishonesty, no less than its talents, has raised it to an unenviable pre-eminence amongst its contemporaries of the press. Affecting to condemn those who were inclined to convert the excitement of the public mind into a species of "political capital," the *Times* began by distinguishing between the civil and the religious question, and deprecating the efforts of those "extreme zealots" who would treat it "on sectarian grounds." Yet, at the very same moment, it was throwing open its columns to every scribbler that sought to revile the religion, or excite hatred against the persons, of Catholics. No falsehood was too

mind, and habitual violators of the most solemn obligations, men have only to open their eyes, and test the accusation by the evidence of their own senses. They meet us in the world; they see us in the daily intercourse of life; and they know, from their own experience, whether we are less honourable in our views, less scrupulous in our dealings, less moral or less exemplary in any of the relations of society, than our neighbours. But, when they are told that, persecutors on principle, we are restrained in our propensities only by the repressive circumstances in which we are placed; when they are assured that our faith binds us "to root out heresy by any means within our reach," and are directed to such enormities as the Gunpowder Plot for an evidence of that to which our religion "naturally" trains its professors, then it is that, destitute of the means of forming any practical judgment, the less instructed are led to adopt erroneous notions of our principles, to terrify themselves with apprehensions of imaginary dangers, and to regard us almost as animals that are innocent enough in confinement, but dangerous and destructive if suffered to luxuriate in a state of nature. Hence, while we may safely leave the refutation of the moral charges, advanced by our adversaries, to the daily experience of the world, it becomes necessary to oppose a counteracting influence to the historical and inductive accusations, derived from such distorted accounts as that of the conspiracy in question. To effect this is the object of the present publication, in which the reader will find two separate narratives of the plot;—one from the elegant pen of Dr. Lingard, the other from the more homely, but not less honest, production of Dodd, illustrated and enlarged by the copious annotations and additions inserted by Mr. Tierney in his recent edition of that writer. The former is a connected history of all the more material circumstances connected with the conspiracy: the latter supplies some additional facts relative to the conduct of James and the persecution of the Catholics; and, at the same time, furnishes a large body of documentary, and for the most part original, evidence, of the most important and interesting description. Both are written in a calm and dispassionate tone, without any attempt either to screen the guilty, or to disguise or palliate the facts; and both establish the unquestionable

truth, that the plot was confined, both in its origin and its progress, to the twelve or thirteen individuals immediately connected with it; that the Catholics were wholly ignorant of all that concerned it; and that the Pope and the other ecclesiastical authorities not only condemned it when discovered, but adopted every means in their power, even at an earlier period, to deter their spiritual subjects from any attempts against the state. When the reader shall have perused these accounts, he will be in a situation to appreciate the merits of the *Times'* correspondent: but in the meanwhile, as that writer, referring to the religious executions in the reigns of Elizabeth and James, not only denies their actual amount, but declares that "the only way in which it can be said that such persons (the Catholics) suffered for religion is this, viz., that their religion led them into treason" (*Times*, Nov. 7), it may be well for a moment to take the opinion of a Protestant dignitary on this subject,—a man as distinguished by his position in the Establishment, as by his rank in the literature of his country. It is the Reverend Sydney Smith, who thus expresses himself in his "Letter on the Catholic Question" (p. 33—36):—

"The great object of men, who love party better than truth, is, to have it believed that the Catholics alone have been persecutors; but what can be more flagrantly unjust than to take our notions of history only from the conquering and triumphant party? If you think the Catholics have not their Book of Martyrs as well as the Protestants, take the following enumeration of some of their most learned and careful writers.

"The whole number of Catholics who have suffered death in England, for the exercise of the Roman Catholic religion, since the Reformation:—

Henry VIII.	59
Elizabeth	204
James I.	25
Charles I. and Commonwealth	23
Charles II.	8
Total	319

"With respect to the great part of the Catholic victims, the [illegible] fully and literally executed. After being hanged up, [illegible] *cut down alive, dismembered, ripped up, and their*

bowels burnt before their faces; after which they were beheaded and quartered. The time employed in this butchery was very considerable, and, in one instance, *lasted more than half an hour.*

* * * * * * *

"The total number of those who suffered capitally, in the reign of Elizabeth, is stated by Dodd, in his Church History, to be one hundred and ninety-nine:* further inquiries by Milner made their number to be two hundred and four. Fifteen of these were condemned for denying the queen's supremacy; one hundred and twenty-six for the exercise of priestly functions; and the others for being reconciled to the Catholic faith, or for aiding and assisting priests. In this list, no person is included who was executed for any plot, real or imaginary, except eleven, who suffered for the pretended plot of Rheims; a plot which, Dr. Milner justly observes, was so daring a forgery that even Camden allows the sufferers to have been political victims. Besides these, mention is made, in the same work, of ninety Catholic priests or laymen who died in prison in the same reign. 'About the same time,' he says, 'I find fifty gentlemen lying in York Castle: *most of them perished there,* of vermin, famine, hunger, thirst, damp, dirt, fever, whipping, and broken hearts, the inseparable circumstances of prisons in those days. These were, every week for a twelvemonth together, dragged by main force to hear the established service performed in the castle chapel.' The Catholics were frequently, during the reign of Elizabeth, tortured in the most dreadful manner. In order to extort answers from Father Campian, he was laid on the rack, and his limbs stretched a little, to show him, as the executioner termed it, what the rack was. He persisted in his refusal: then, for several days successively, the torture was encreased, and, on the last two occasions, he was so cruelly rent and torn that he expected to expire under the torment. While under the rack, he called continually upon God. Southwell, a Catholic, was racked ten times during the reign of this sister of 'Bloody Queen Mary.' In 1592, Mrs. Ward was hanged, drawn, and quartered, for assisting a Catholic priest to escape

* "The total number of sufferers, in the reign of Queen Mary, varies, I believe, from two hundred in the Catholic, to two hundred and eighty in the Protestant, accounts."

in a box. Mrs. Lyne suffered the same punishment for harbouring a priest: and, in 1586, Mrs. Clitheroe, who was accused of relieving a priest, and refused to plead, was pressed to death in York Castle, a sharp stone being placed underneath her back.

"The uncandid excuse for all this is, that the greater part of these persons were put to death for political, not for religious, crimes: that is, a law is first passed making it high treason for a priest to exercise his function in England, and so, when he is caught and burnt, this is not religious persecution, but an offence against the state! We are, I hope, all too busy to need any answer to such childish, uncandid reasoning as this."

CONTENTS.

History of the Gunpowder Plot, from Lingard *Page* 1
The same, from Tierney's Dodd 37

APPENDIX.

PART I.

Note (A.) Letter from Garnet to Persons, Oct. 4, 21, 1605 ... 63
(B.) The same to his superior in Rome, July 24, 1605 ... 65
(C.) Share of Garnet, Greenway, and Gerard in the Plot 67

PART II.

No. I. Instructions from the Nuncio to Dr. W. Gifford, Aug. 1, 1603 73
II. Garnet to Persons, April 16, 1603: and King James to Sir Thomas Parry, 1603-4 76
III. Supplication of Catholics to the King, 1603 ... 87
IV. Proclamation against Jesuits and Priests, Feb. 22, 1604 89
V. Grants of Recusants' Lands, Oct. 1605 92
VI. Act against Priests and Recusants, 1604 96
VII. Petition of Catholics to the King, 1604 98
VIII. Commission for Banishment of Missionaries, Sep. 5, 1604 102
IX. Canon against Recusants, 1604 104
X. Address of Banished Priests to the Council, Sep. 24, 1604 105
XI. Names of Recusants indicted at the Sessions, 1604 106
XII. Archbishop of Canterbury to his Suffragans against Recusants, March 12, 1605 110

XIII. Bishop of Hereford to the Earl of Salisbury, June 22, 1605; and Garnet to Persons, Oct. 4 and 21, 1605 113
XIV. Breve of Clement VIII. to the English Catholics, concerning the Succession to the Crown, July 5, 1600 118
XV. Aquaviva to Garnet, June 25, 1605; and Garnet's Answer, July 24, 1605 122
XVI. Three Letters from Blackwell to his Assistants and Clergy, and to the Catholic Laity, July 22, Nov. 7, and Nov. 28, 1605 125

ACCOUNT

OF

THE GUNPOWDER PLOT.

(*Extracted from* Dr. Lingard's *History of England, Vol. VII. p. 25 et seq.*).

The Historian having described the accession and coronation of James, the conspiracy of Cobham and his associates, and the trial and various fate of the delinquents, thus proceeds :—

It is plain that this conspiracy, so heterogeneously composed and so easily defeated, offered but little ground of alarm; yet it taught the king to distrust more deeply the professions both of the Puritans and the Catholics. From the moment when he crossed the Tweed, the two parties had never ceased to harass him with petitions for religious toleration. To the Catholics he felt inclined to grant some partial indulgence. He owed it to their sufferings in the cause of his unfortunate mother; he had bound himself to it by promises to their envoys, and to the princes of their communion. But his secret wishes were opposed by the wisdom or prejudice of his advisers; and, if he was ashamed to violate his word, he was taught also to dread the offence of his Protestant subjects. At last he compromised the matter in his own mind, by drawing a distinction between the worship and the persons of the petitioners. To every prayer for the exercise of that worship he returned a prompt and indignant refusal: on more than one occasion, he even committed to the Tower the individuals who had presumed to offer such an insult to his orthodoxy. But he invited the Catholics to frequent his court; he conferred on several the honour of knighthood; and he promised to shield them from the penalties of recusancy, as long as, by their loyal and peaceable demeanour, they should deserve the royal favour. This benefit, though it fell short of their expectations, they accepted with gratitude. By most it was cherished as a pledge of subsequent and more valuable concessions; and the pontiff, Clement VIII., now that Elizabeth was no more, determined to cultivate the friendship of the new king. By two breves, directed to the archpriest and the provincial of the Jesuits, he strictly commanded the missionaries to confine themselves to their spiritual duties, and to discourage, by all the means in their power, every attempt to disturb the

tranquillity of the realm. The intelligence that Watson and Clarke had been engaged in the late conspiracy, was received by him with regret. He ordered the nuncio at Paris to assure James of the abhorrence with which he viewed all acts of disloyalty; and he despatched a secret messenger to the English court, with an offer to withdraw from the kingdom any missionary who might be an object of suspicion to the Council.*

The Puritans relied with equal confidence on the good-will of the new monarch. He had been educated from his infancy in the Genevan theology: he had repeatedly expressed his gratitude to God "that he belonged to the purest kirk in the world;" and he had publicly declared that, "as long as he should brook his life, he would maintain its principles." These may have been the sentiments of his more youthful years; but, in proportion as the declining age of Elizabeth brought the English sceptre nearer to his grasp, he learned to prefer the submissive discipline of a church which owned the sovereign for its head, to the independent forms of a republican kirk; and, as soon as he saw himself possessed of the English crown, he openly avowed his belief that the hierarchy was the firmest support of the throne, and that, where there was no bishop, there would shortly be no king.†

The first petitions of the Puritans were couched in submissive language: gradually, they assumed a bolder tone, and demanded a thorough reformation both of the clergy and liturgy. James was irritated, perhaps alarmed; but he preferred conciliation to severity, and invited four of the leading ministers to a conference at Hampton Court. Though the result of the conference disappointed the hopes of the nonconformists, they did not despair of bettering their condition: but the king, on the presentation of a petition in their favour, spoke of them in terms of bitterness, which showed how little they had to expect from the good-will of the monarch. It was, he said, to a similar petition that the rebellion in the Netherlands owed its origin: both his mother and he had been haunted by Puritan devils from their cradles; but he would hazard his very crown to suppress such malicious spirits; and not Puritans only, but also Papists, whom he hated so cordially, that, if he thought it possible for his son and

* "Paratissimum esse eos omnes e regno evocare, quos sua majestas rationabiliter judicaverit regno et statui suo noxios fore."

"He was most ready to withdraw from the country any of the missionaries whom his Majesty should have a reasonable ground to consider dangerous to the state."

From instructions given to Dr. Gifford, dean of Lisle, MS. penes me.—[This document has been printed entire by Mr. Tierney, in his fourth volume of Dodd's Church History. It will be found in the Appendix to the present publication, Part 2, No. I.—*Editor.*]

† Calderwood, 256. In his præmonition to the Apology for the Oath of Allegiance, he dates his conversion six years before his accession to the English throne (p. 45).

heir to grant them toleration in the time to come, he should fairly wish to see the young prince at that moment lying in his grave. Nor were the dependants of the court slow to act in conformity with the words of the sovereign. In the Star-chamber, it was decided that the gathering of hands to move his majesty in matters of religion was an act tending to sedition and rebellion; and orders were issued to the judges and magistrates to enforce, with all their power, the penal laws against nonconformists, whether Protestants or Catholics.*

A few days later, James met his first parliament with the most flattering anticipations; and opened the session with a gracious and eloquent speech from the throne. But, instead of the return which he expected, he found himself entangled in disputes, from which he could not extricate himself with satisfaction or credit. On one question only were all parties agreed. Fanaticism urged the Puritans to persecute the Catholics; and the hope of conciliation induced the friends of the crown to add their support. The oppressive and sanguinary code, framed in the reign of Elizabeth, was re-enacted to its full extent; it was even improved with additional severities. To send any child or other person beyond the seas, to the intent that he should reside or be educated in a Catholic college or seminary, was made an offence punishable by fine to the king of not less than £100; every individual who had already resided or studied, or should hereafter reside or study, in any such college or seminary, was rendered incapable of inheriting, or purchasing, or enjoying lands, annuities, chattels, debts, or sums of money within the realm, unless, at his return to England, he should conform to the established church; and severe penalties were enacted against the owners and masters of ships who should presume to take beyond the seas any woman or any person under the age of twenty-one years, without a permission in writing with the signatures of six privy councillors. Moreover, as missionaries sometimes eluded detection under the disguise of tutors in gentlemen's houses, it was provided that no man should teach even the rudiments of grammar without a license from the diocesan, under the penalty of forty shillings per day, to be levied on the tutor himself, and the same sum on his employer.†

* Ellis, second series, iii. 216.

† Stat. of the Realm, vol. iv. part ii. p. 1019, 1020. In this parliament an Act was passed to disable bishops from alienating the possessions of their sees to the crown, that they might more easily "maintain true religion, keep hospitality, and avoid dilapidations."—Ibid.

Before I proceed to the history of the gunpowder plot, I should inform the reader that I am indebted for many of the following particulars to two manuscript narratives in the handwriting of their respective authors: the one in English, by Father John Gerard; the other an Italian translation, but enriched with much additional information, by Father Oswald Greenway. Both were Jesuit missionaries, the familiar acquaintance of the conspirators, and on that account suspected

The Puritans in their discontent had accused the king of papistry. He persecuted, they said, the disciples, while he favoured the enemies of the gospel. James hastened to rescue himself from the charge. Another proclamation was published (Feb. 22), enjoining the banishment of all Catholic missionaries; regulations were adopted for the discovery and presentment of recusants; and orders were sent to the magistrates to put the penal laws into immediate execution. He even deemed it expedient to deliver his sentiments in the Star-chamber, to declare his detestation of popery, and to repeat his wish that none of his children might succeed him, if they were ever to depart from the established church. These proceedings afforded some consolation. If one opening were closed, another was offered to the exertions of the zealots. If they were not suffered to purge the church from the dregs of superstition, they might still advance the glory of God by hunting down the idolatrous papist.

The execution of the penal laws enabled the king, by an ingenious comment, to derive considerable profit from his past forbearance. It was pretended that he had never *forgiven* the penalties of recusancy: he had merely forbidden them to be exacted for a time, in the hope that this indulgence would lead to conformity; but his expectations had been deceived; the obstinacy of the Catholics had grown with the lenity of the sovereign; and, as they were unworthy of further favour, they should now be left to the severity of the law. To their dismay, the legal fine of £20 per lunar month was again demanded; and not only for the time to come, but for the whole period of the suspension; a demand which, by crowding thirteen separate payments into one of £260, exhausted the whole annual income of men in respectable but moderate circumstances. Nor was this all. By law, the least default in these payments subjected the recusant to the forfeiture of all his goods and chattels, and of two-thirds of his lands, tenements, hereditaments, farms, and leases. The execution of this severe punishment was intrusted to the judges at the assizes, the magistrates at the sessions, and the commissioners for causes ecclesiastical at their meetings. By them warrants of distress were issued to constables and pursuivants: all the cattle on the lands of the delinquent, his household furniture, and his wearing apparel were seized and sold; and if on some pretext or other he was not thrown into prison, he found himself and family left without a change of apparel or a bed to lie upon,

by the government of having been privy to the plot. They evidently write with feelings of compassion for the fate of their former friends; but they disclose many important particulars which must have been otherwise unknown.

unless he had been enabled by the charity of his friends to redeem them after the sale, or to purchase with bribes the forbearance of the officers. Within six months the payment was again demanded, and the same depauperizing process was repeated.* The sums thus extorted from the sufferers formed, most opportunely for James, a fund, out of which he could relieve himself from the claims and clamours of the needy Scotsmen who had pursued him from their own country, and now importuned him for a share in the good things of the land of promise. Of the moneys thus extorted, a considerable portion was known to be appropriated to these adventurers. Nor was this appropriation thought of itself a small grievance, at a time when the jealousies between the two nations had grown to a height, of which we can form but a very inadequate notion at the present day. The sufferers bitterly complained that they were reduced to beggary for the support of a crowd of foreign beggars; that the last remnant of their property was wrung from them to satisfy the rapacity of the Scottish harpies that followed the court. But they complained in vain. The exaction of the penalties was too profitable to James and his minions to admit of redress by the king, and among the magistrates in every locality were found persons eager to prove their orthodoxy by tormenting the idolatrous papist, or to benefit their dependants and officials, by delivering him up to the tender mercies of men, who were careful to charge the highest price for the most trifling indulgence.†

Among the sufferers was Robert Catesby, descended from an ancient and opulent family, which had been settled during several generations at Ashby St. Legers, in Northamptonshire, and was also possessed of considerable property in the county of Warwick. His father, Sir William Catesby, more than once

* See Garnet's letter in Appendix, Part I. (A). "Every six weeks is a general court, juries appointed to indite, present, find the goods of Catholicks, prize them, yea, in many places to drive away whatsoever they find. If these courses hould, every man must be faine to redeeme once in six moneths the very bedd that he lyeth on: and hereof, of twice redeeminge, besides other presidents, I find one in this lodginge where nowe I am."

† "It is both odious and grievous that true and free-born subjects should be given as in prey to others."—Gerard, MS. p. 35. "Leurs biens sont departis et assignés en don, à des particuliers courtisans, avec lesqueles ils sont contraints de composer: dont ils sont au desespoir."—Beaumont à Villeroi, 1 June, 1605, in Jardine, ii. 23. From the Book of Free Gifts, it appears that James gave out of the goods of recusants, in his first year, one hundred and fifty pounds to Sir Richard Person, in his third, three thousand pounds to John Gibb, in his fourth, two thousand pounds to John Murray, and one thousand five hundred pounds to Sir James Sandilands, &c. &c.—See Abstract of his Majestie's Revenue, p. 17-39. But from the letter of Beaumont just quoted, it appears that he had not been more than a year in England, before he began to make over his claims upon recusants to his favourites, enabling the latter to proceed at law in his name against their victims, unless these should submit to purchase their forbearance by composition.—On this head consult Tierney, iv. App. ix. p. lxxv.

had been imprisoned for recusancy; but the son, as soon as he became his own master, abandoned the ancient worship, indulged in all the licentiousness of youth, and impaired his fortune by his follies and extravagance. In 1598 he returned to the religion of his more early years; and from that moment it became the chief subject of his thoughts to liberate himself and his brethren from the iron yoke under which they groaned. With this view, having previously stipulated for liberty of conscience, he joined, together with several of his friends, the Earl of Essex; and in the ill-directed attempt of that nobleman was wounded, taken, and committed to prison. He had, indeed, the good fortune to escape the block, but was compelled to purchase his liberty with the sum of three thousand pounds. After his discharge, he attached himself, through the same motive, to the Spanish party among the Catholics, and bore a considerable share in their intrigues to prevent the succession of the Scottish monarch. When these had proved fruitless, he acquiesced in the general opinion of his brethren, and cherished with them the pleasing hope of indulgence and toleration. But the delusion soon vanished; in every quarter it was easy to discern the gathering of the storm which afterwards burst upon their heads; and Catesby, reverting to his original pursuit, revolved in his mind every possible means of relief. To succeed by insurrection he saw was hopeless; the Catholics were the weaker party, and disunited among themselves: to look for sufficient aid from the princes abroad was equally visionary; the king of France, the king of Spain, and even the pontiff, all professed themselves the friends of James. At length there suggested itself to his mind a plan which required not the help of foreigners, nor the co-operation of many associates, but a plan so atrocious in principle, and so sanguinary in execution, that it is difficult to conceive how it could be harboured in the mind of any human being—the plan of blowing up the parliament-house with gunpowder, and involving in one common destruction the king, the lords, and the commons, all those who framed, with the chief of those who executed, the penal laws against the English Catholics.*

The person to whom Catesby first opened his mind (March) was an intimate friend, Thomas, the younger brother of Robert Winter, of Huddington in Worcestershire. In his youth he had served as a volunteer in the army of the States; afterwards

* Persons, however, observes, that this was not the first gunpowder plot. "There be recounted in histories many attempts of the same kynds, and some also by Protestants in our dayes: as that of them who at Antwerp placed a whole barke of powder in the great street of that citty, where the Prince of Parma with his nobility was to passe: and that of him in the Hague that would have blown up the whole councel of Hollande upon private revenge."—Letter touching the New Oath of Allegiance, sect. i. v. apud Butler, Historical Memoirs, i. 266, first edition.

he had been repeatedly employed at the court of Madrid, as agent for the Spanish party in England. Winter was struck with horror at the communication; he hesitated not to pronounce the project most wicked and inhuman. But Catesby attempted its justification. He sought not, he observed, any private revenge or personal emolument. His sole object was to suppress a most unjust and barbarous persecution by the only expedient which offered the prospect of success. There could be no doubt that it was lawful, since God had given to every man the right of repelling force by force. If his friend thought it cruel, let him compare it with the cruelties exercised during so many years against the Catholics; let him reckon the numbers that had been butchered by the knife of the executioner; the hundreds who had perished in the solitude of their prisons; and the thousands that had been reduced from affluence or ease to a state of want or beggary. He would then be able to judge where the charge of cruelty could with justice be applied.*

This was at the time when Velasco, the constable of Castile, had arrived in Flanders, to conclude a peace between England and Spain. The two friends, after a long discussion, resolved to postpone their direful purpose till they had solicited the mediation of the Spaniard with their sovereign. With this view Winter repaired to Bergen, near Dunkirk, where a private conference with the ambassador convinced him, that though he might speak in favour of the English Catholics, he would make no sacrifice to purchase for them the benefit of toleration. From Bergen, Winter hastened to Ostend, where he met with Guy Faukes, a native of Yorkshire, and a soldier of fortune. Faukes had long served in the Netherlands, had borne an important command under Sir Thomas Stanley, and had visited Madrid in the company of Winter, as agent for the exiles of the Spanish party. His courage, fidelity, and military experience pointed him out as a valuable auxiliary. He consented to return with Winter to England (April 22), but was kept for some time in ignorance of the part which he was designed to act.†

Before their arrival, Catesby had communicated the plan to two others, Percy and Wright. Thomas Percy was a distant relation and steward to the Earl of Northumberland. He had embraced the Catholic faith about the same time as Catesby, and had shared with him in the disastrous enterprise of Essex. But afterwards, he opposed Catesby's associates of the Spanish faction, visited James in Edinburgh, and, in consequence of his promises, laboured with success to attach the leading

* Greenway's MS. p. 30.

† See Winter's confession in "The Gunpowder Treason, with a Discourse of the Manner of its Discovery, 1679," pp. 48-50; Greenway's MS. 36. I observe that Faukes always writes his name with u.

Catholics to the cause of the Scottish monarch.* Subsequent events induced Percy to look on himself as the dupe of royal insincerity; he presented a remonstrance to the king, but received no answer; and, while his mind was agitated by resentment on the one hand, and by shame on the other, Catesby seized the favourable moment to inveigle him into the conspiracy. At first he demanded time to deliberate; but the desire of revenge, and the hope of averting the evils which he had unintentionally contributed to bring on his brethren, won his consent, and he offered as a useful associate his brother-in-law, John Wright, formerly a follower of Essex, and noted as the best swordsman of his time, who had lately become a Catholic, and on that account had been harassed with prosecutions and imprisonment. The conspirators were now four; after a short trial Faukes was added to the number (May 1); and all five having previously sworn each other to secrecy, received, in confirmation of their oath, the sacrament from the hand of the Jesuit missionary, Father Gerard.†

But though they had thus pledged themselves to adopt the sanguinary project suggested by Catesby, its execution was still considered as distant and uncertain. They cherished a hope

* There can be no doubt that Percy thus represented the answer of James, though the king afterwards denied that he had any authority for it. When the Earl of Northumberland was examined whether he had ever affirmed that he could dispose of the Catholics of England, he answered thus: "He denieth that he ever affirmed any such matter, but sayeth, that when Percy came out of Scotland from the king (his lo. having written to the king, where his advice was to give good hopes to the Catholiques, that he might the more easilie, without impediment, come to the crown), then returning from the king, he sayed, that the king's pleasure was, that his lordship should give the Catholiques hopes that they should be well dealt withal, or to that effect: and it may be he hath told as much as the king said."—Interrogatories of the 23rd of November, in the State Paper Office. The letter to which the earl alludes has been published by Miss Aikin, in her Court of James I. p. 253; and in it occurs the following passage: "I will dare to say no more, but it were pity to lose so good a kingdom for not tolerating mass in a corner, if upon that it resteth." As for the denial of James, it is undeserving of credit. There are too many instances on record in which he has denied his own words.

† This fact was brought to light by the confessions of Winter and Faukes, who out of the five were the only two then living. But they both acquit Gerard of having been privy to their secret. Winter says, that "they five administered the oath to each other in a chamber, in which no other body was," and then went into another room to receive the sacrament.—Winter's Confession, p. 50. Faukes, that "the five did meet at a house in the fields beyond St. Clement's Inn, where they did confer and agree upon the plot, and there they took a solemn oath and vows by all their force and power to execute the same, and of secrecy not to reveal it to any of their fellows, but to such as should be thought fit persons to enter into that action; and in the same house they did receive the sacrament of Gerard the Jesuit, to perform their vow and oath of secrecy aforesaid. But that Gerard was not acquainted with their purpose." See the fifth examination of Faukes, taken November 9th, and subscribed by him November 10th, in the State Paper Office. It was read at the trial, with the exception of the part exculpating Gerard. Before that in the original is drawn a line, with the words *huc usque*, in the handwriting of Sir Edward Coke, who was unwilling to publish to the world a passage which might serve for the justification of one whom he meant to accuse.

that James might listen to the prayers of Velasco (July), that his eagerness to conclude a peace with the Catholic king might induce him to grant at least the liberty of private worship to his Catholic subjects. The English and Spanish commissioners had already assembled; and though both assumed a tone of indifference—though they brought forward the most irreconcilable pretensions, it was well known that their respective sovereigns had determined to put an end to the war, whatever sacrifices it might cost. After repeated conferences for the space of two months, the treaty (August 18) was concluded. It restored the relations of amity between the English and Spanish crowns; revived the commercial intercourse which had formerly subsisted between the nations; and left to the equity of James the disposal of the cautionary towns in Holland, if the States did not redeem them within a reasonable time.* The constable now interposed the solicitations of his sovereign in behalf of the English Catholics, and assured James that Philip would take every indulgence granted to them as a favour done to himself. At the same time, to second his endeavours, the Catholics made to the king the voluntary offer of a yearly sum in lieu of the penalties payable by law; and attempted to move the pity of the archbishop and of the council, by laying before them a faithful representation of the distress to which numbers of respectable families had been reduced, by their conscientious adherence to the faith of their fathers. But the king, under the advice of his ministers, was inexorable; he assured Velasco, that, even if he were willing, he dared not make a concession so offensive to the religious feelings of his Protestant subjects. The judges and magistrates were ordered by proclamation to enforce the immediate execution of the penal laws; measures were adopted for the more certain detection of recusants; and commissioners were appointed, by whom twenty-three priests and three laymen were arbitrarily selected from the Catholic prisoners, and sent into banishment for life.† These proceedings, following in rapid succession, extinguished the last ray of hope in the breasts of the conspirators. They exhorted each other to hazard their lives, like the Maccabees, for the liberation of their brethren; they hastened to execute that plan which appeared to be their only resource; and they pronounced it a lawful retribution to bury the authors of their wrongs amidst the ruins of the edifice in which laws so cruel and oppressive had been devised and enacted.‡

* Rymer, xvi. 585, 617.

† Rymer xvi. 597. More, 309. Gerard's MS. 62. Greenway's MS. 35. Tierney, iv. App. Nos. x. xxii. In No. xiv. he has published the numbers of the Catholic recusants convict returned at the summer assizes for 1604. They amount to 6,426.

‡ Greenway, 37.

On inquiry they found, contiguous to the old palace of Westminster, an empty house, with a garden attached to it, exactly adapted to their purpose. It was hired by Percy, under pretence of convenience, because his office of gentleman pensioner occasionally compelled him to reside in the vicinity of the court. For three months he was kept out of possession by the commissioners for a projected union between England and Scotland; but at their departure (Dec. 11) he secretly introduced his associates, who again swore to be faithful to each other at the risk of their own lives. On one side of the garden stood an old building, raised against the wall of the parliament-house. Within this they began to open the mine, allotting two-thirds of the twenty-four hours to labour, and the remaining third to repose; and dividing the task among themselves in such manner, that, while one enjoyed his portion of rest, the other three were occupied in the work, which, during the day, consisted in excavating the mine—during the night, in concealing the rubbish under the soil of the garden. Faukes had a different employment; as his person was unknown, he assumed the name of Johnson, gave himself out as the servant of Percy, and kept a constant watch round the house. When a fortnight had been thus devoted to uninterrupted labour, Faukes informed his associates that the parliament was prorogued from the 7th of February to the 3rd of October. They immediately separated (Dec. 24) to spend the Christmas holidays at their respective homes, with an understanding that in the interval they should neither write nor send messages to each other.*

Before this, however, Catesby had discovered a disposition in his fellow-labourers to question the lawfulness of the enterprise. That they had a right to destroy those who sought to destroy *them* was admitted, but what, it was asked, could be said in justification of the murder of those friends and Catholics who must be enveloped in the same fate with their enemies? The recurrence of the question produced in him alarm and irritation. If he was able by his vehemence to silence their inquiries, he did not convince their consciences; he saw that higher authority was required, and this he sought with that secrecy and cunning which marked the whole of his conduct. The king had granted permission to Sir Charles Percy to raise a regiment of horse for the service of the archduke, and Catesby, through the Earl of Salisbury, had obtained the royal license to accept a captain's commission. It served him as a pretence to provide arms and horses for his own use; and it also supplied him with the means of seeking a solution of the difficulty suggested by his friends, without the danger of betraying the

* Winter's Confession, 51-53. Gerard, 36. Greenway, 38.

secret. To Garnet, the provincial of the Jesuits, he observed, in the presence of a large company, that he was about to engage in the service of the archduke; of the justice of the war he had no doubt; but he might be commanded to partake in actions in which the innocent would necessarily perish with the guilty—unarmed women and children with armed soldiers and rebels. Could he in conscience obey? Would not the fate of the innocent render his conduct unlawful in the sight of the Almighty? Garnet replied that, according to divines of every communion, obedience in such cases was lawful; otherwise it would at all times be in the power of an unjust aggressor to prevent the party aggrieved from pursuing his just right. This was sufficient: the new theologian applied the answer to the intended plot, and boasted to his associates that their objection was now proved to be a weak and unfounded scruple.*

During the recess he had imparted his secret to Christopher, the brother of John Wright, and to Robert, the brother of Thomas Winter. The first had lately become a convert to the Catholic faith; both had suffered imprisonment for their religion. With this accession to their number, the conspirators resumed their labour (Jan. 30, 1605); but their progress was retarded, and their hope checked, by unexpected difficulties. The influx of water at a certain depth rendered it impossible to carry the mine under the foundation; and to pierce through a wall three yards thick, and composed of large stones, was no easy task to men unaccustomed to manual labour. Still they persevered, and the perforation daily proceeded, till they were alarmed one morning by a considerable noise, which appeared to come from a room almost over their heads. Faukes, on inquiry, learned that it was a vaulted cellar, which lay under the House of Lords, and would in a few days be unoccupied. This fortunate discovery filled them with joy. The mine was abandoned; Faukes hired the cellar (March 25) in the name of his pretended master; and into it were conveyed, under the cover of the night, several barrels of gunpowder, which had been collected in a house at Lambeth. To elude suspicion, these were concealed under stones, billets of wood, and different articles of household furniture; and the conspirators, having completed their preparations, separated to meet again in September, a few days before the opening of Parliament.†

* According to Sir Edward Coke, whose object it was to connect Garnet with the conspiracy, the question was proposed in these terms: "whether for the good and promotion of the Catholic cause against heretics, it be lawful or not among many nocents to destroy some innocents also?"—Gunpowder Treason, p. 165. But of this assertion he never attempted to adduce any proof; and not only Garnet, but also Greenway, who was present, declares that the case proposed was that which I have mentioned above.—Greenway, 40-42.

† Winter's Confession, 55. Gerard, 42. Greenway, 45.

In the meantime the persecution, which had commenced in the preceding year, had daily increased in severity. Nocturnal searches for the discovery of priests were resumed with all that train of injuries, insults, and vexations which characterized them in the reign of Elizabeth.* The jails were crowded with prisoners; and some missionaries and laymen suffered, more were condemned to suffer, death for religious offences.† The officiating clergy were bound under ecclesiastical penalties to denounce all recusants living within their respective parishes;‡ and courts were held every six weeks to receive informations, and to convict offenders. The usual penalties were enforced with a rigour of which former persecutions furnished no precedent; and the recusants, in the middle classes of life, were ground to the dust by the repeated forfeiture of all their personal estates, with two-thirds of their lands and leases.§ To reduce the higher ranks

* "For then, not only in the shires and provinces abroad, but even in London itselfe, and in the eyes of the court, the violence and insolency of continuall searches grew to be such as was intollerable; no night passing commonly, but that soldiours and catchpoles brake into quiet men's houses, when they were asleepe; and not only carried away their persons unto prisons at their pleasure, except they would brybe them excessively, but whatsoever liked them best besydes in the house... And these searches were made with such violence and insolency, as divers gentlewomen were drawne or forced out of their beds, to see whether they had any sacred thing or matter belonging to the use of Catholic religion, either about them or under their bedds."—Persons's Judgment of a Catholic Englishman, p. 43. 4to. 1608.

† Sugar, a priest, Grissold, Baily, Wilbourne, Fulthering, and Brown, laymen, were executed. Hill, Green, Tichbourne, Smith, and Briscow, priests, and Skitel, a layman, received sentence of death, but were reprieved at the solicitation of the French and Spanish ambassadors, and afterwards sent into banishment. Skitel had been condemned by Serjeant Phillips for having only received a Jesuit into his house. The sentence was thought illegal; and Pound, a Catholic gentleman, complained to the council. Instead of redress, he was called before the lords in the Star-chamber, who "declared the condemnation to be lawfull, condemned Pound to lose one of his ears here in London, and the other in the country where he dwelleth, to fine one thousand pounds, and to endure perpetual imprisonment, if he impeach not those that advised him to commence his suite; and if he would confess, this sentence should be revoked, and their lordships would otherwise determine according to reason. In the mean time Pound lyeth close prisoner in the Tower."—Winwood, ii. p. 36. The queen interceded for Pound, but James forbade her evermore to open her mouth in favour of a Catholic. Some time afterwards, the French and Venetian ambassadors remonstrated on the severity of the sentence; and Pound, having stood a whole day in the pillory in London, was allowed to depart to his own house at Belmont in Hampshire.—Bartoli, 64. Eudæmon Joannes, 238.

‡ Wilk. Con. iv. 400, can. cxiv. 411.

§ These penalties were exacted with such rigour by the bishops of Hereford and Llandaff, that, in the sole county of Hereford, 409 families suddenly found themselves reduced to a state of beggary. It required but little additional provocation to goad men in such extremity to acts of violence. The curate of Allenmoor, near Hereford, had refused to allow the interment of Alice Wellington, a Catholic woman, in the churchyard, under pretence that she was excommunicated. Her friends buried her by force: they repelled the civil officers by help of other Catholics: their numbers rapidly increased, and the two persecuting prelates were compelled to flee for their lives. The Earl of Worcester, a Catholic, hastened from court to appease the tumult; and his efforts were aided by messengers from the missionaries, and other Catholics in the neighbouring counties.—Lodge, iii. 293. Bartoli, 476. See also Garnet's letter, note (A) in the Appendix, Part I.; Eudæmon Joannes, 235.—Dr. Abbot denies the provocation, and gives a different colouring

to an equality with their more indigent brethren, the bishops received orders, at the suggestion of the chancellor, to excommunicate the more opulent or more zealous Catholics within their dioceses, to certify the names into the Chancery, and to sue for writs de excommunicato capiendo, by which the delinquents would become liable to imprisonment and outlawry; incapable of recovering debts, or rents, or damages for injuries; of making sales or purchases; or of conveying their estates by deed or will.* To add to their terrors, a report was spread that, in the next parliament, measures would be adopted to insure the total extirpation of the ancient faith; and the report seemed to be confirmed by the injurious epithets which the king, in his daily conversation, bestowed on the Catholics, by the menacing directions of the chancellor in the Star-chamber (June 20), and by the hostile language of the Bishop of London (Aug. 5) in his sermon at St. Paul's Cross.

It was with secret satisfaction that Catesby viewed these proceedings. He considered his victims as running blindly to their own destruction, and argued that the more the Catholics suffered, the more readily they would join his standard after the explosion. As the time approached, he judged it necessary to add four more to the number of his accomplices. These were Bates, his confidential servant, whom he employed to convey arms and ammunition into Warwickshire; Keyes, an intimate friend, irritated by the forfeiture of his property, and distinguished by his boldness and resolution; Grant, whose house at Norbrook, in Warwickshire, was conveniently situated for the subsequent operations of the conspirators; and Ambrose Rookwood, of Coldham Hall, in Suffolk, who could furnish a stud of valuable horses. Faukes, as his services were not immediately wanted, repaired during the interval to Flanders. He was instructed to procure secretly a supply of military stores; and (which was of still greater importance) to intrigue with the officers of the English regiment in the pay of the archduke. Several of these, bold and needy adventurers, owed their commissions to the influence of Catesby. To them he sent advice that the English Catholics,

to the riot; but owns that Morgan, one of the leaders, who was sent up a prisoner to London, was discharged by order of the council.—Antilogia, 131.

* Wilk. Con. iv. 411. "Our gracious king hitherto forbears to draw blood of the Catholiques (this was not exactly true), no civill practise tending to conspiracy or treason having yet appeared, either by their doctrine or their dispensations; but whensoever they shall hault in dutie, the king means (as he hath cause) to proceed to justice. In the mean time they pay their two parts more roundly then ever they did in the time of the late queen, not any one as I think being left out, or like to be left out before Michaelmas; and besides like to fall into the church censures of excommunication, with the penalties thereunto belonging, which were not felt formerly."—Northampton's letter, July, 1605, in Winwood, ii. 95. The length of these quotations must be excused, because it has been pretended that at this period the Catholics were not persecuted, but favoured.

if they could not obtain redress by petition, would seek it by the sword; and he conjured them, in that case, to hasten to the aid of their brethren, with as many associates as they could procure. The proceedings of Faukes, though conducted with caution, did not entirely escape notice; and Cecil was repeatedly warned from France and Flanders that the exiles had some clandestine enterprise in hand, though the object and names of the conspirators had not been discovered.*

At home Catesby had been indefatigable in the prosecution of his design. But, though he might rely with confidence on the fidelity of his accomplices, he knew not how to elude the scrutinizing eyes of his more intimate friends. They noticed the excited tone of his conversation, his frequent and mysterious absence from home, and his unaccountable delay to join the army in Flanders. Suspicion was awakened, and Garnet, the provincial or superior of the Jesuits, having received some general hint of a conspiracy, seized an opportunity to inculcate at the table of Catesby the obligation of submitting to the pressure of persecution, and of leaving the redress of wrongs to the justice of heaven. Catesby did not restrain his feelings. "It is to you, and such as you," he exclaimed, "that we owe our present calamities. This doctrine of non-resistance makes us slaves. No authority of priest or pontiff can deprive man of his right to repel injustice." This sally converted the suspicion of Garnet into certainty. He resolved to inform his superiors in Rome (May 8);† and received in return two letters of similar import, one written in the name of the Pope, the other from the general of the order (June 24), commanding him to keep aloof from all political intrigue, and to discourage all attempts against the state.

Catesby, notwithstanding the bold tone which he assumed, could not silence the misgivings of his own conscience; perhaps he feared also the impression which the authority of the provincial might make on the minds of his associates. He repeatedly sought the company of Garnet, maintained his opinion that the wrongs of the Catholics were such as to justify recourse to open violence, and at last acknowledged that a plot was in agitation, the particulars of which he was ready to intrust to the fidelity of his friend. The Jesuit refused to hear a word on that head; and in the long and earnest altercation which followed, the conspirator founded his vindication on the two breves of Clement VIII. for

* Winter's Confession, 56. Greenway, 53-56. Winwood, ii. 172. Birch's Negotiations, 233, 248, 251, 255.

† In his letter he says: "All are desperate; diverse Catholics are offended with Jesuits; they say that Jesuits doe impugne and hinder all forcible enterprizes. I dare not informe myself of their affaires, because of prohibition of F. Generall for meddling in such affaires." So far in cipher: he then proceeds in ordinary characters, "and so I can not give you exact accompt. This I knowe by meare chance."—Gerard's MS. c. v. p. 77.

the exclusion of the Scottish king from the succession. "If," he argued, "it were lawful to prevent James from coming in after his promise of toleration, it could not be wrong to drive him out after his breach of that promise." To this reasoning Garnet opposed the two letters which he had lately received; but they had no influence on Catesby, who replied that they had been procured by misinformation. In conclusion, a sort of compromise was accepted; that a special messenger should be despatched to Rome, with a correct account of the state of the English Catholics, and that nothing should be done on the part of the conspirators, till an answer had been received from the pontiff. The messenger was accordingly sent, with a request secretly added by Garnet, that the Pope would prohibit under censure all recourse to arms. Thus each party sought to overreach the other. Catesby's object was to silence Garnet, and to provide an agent at Rome, whom he might employ as soon as the explosion had taken place. Garnet persuaded himself that he had secured the public tranquillity for a certain period, before the expiration of which he might receive the papal prohibition.*

Faukes, having completed his arrangements in Flanders, returned to England in September; but, immediately afterwards, it was announced that the parliament would again be prorogued from October to the fifth of November. This disappointment alarmed the conspirators: it was possible that their project had been discovered; and, to ascertain the fact, Winter was employed to attend in the parliament-house, and to watch the countenances and actions of the commissioners (October 3) during the ceremony of prorogation. He observed that they betrayed no sign of suspicion or uneasiness; that they walked and conversed in apparent security on the very surface of the volcano prepared for their destruction. Hence it was inferred that they must be still ignorant of its existence.†

It is, however, to these successive postponements that the failure of the plot must be attributed. None of the conspirators, if we except Catesby, were rich. Many of them, for the last twelve months, had depended on his bounty for the support of their families; the military stores had been purchased, and every preparation had been made, at his expense. But his resources were now exhausted; and the necessity of having a large

* Sir Edward Coke at the trial gave a different account of this transaction; but he made no attempt to bring forward any proof of his statement. I write from the manuscript relation of Greenway (p. 42), who was present. Eudæmon Joannes asserts the same from the mouths of the persons concerned.—Apologia, 251. Garnet on his trial explained it in the same manner, and his explanation is fully confirmed by the letter which he wrote to his superior in Rome on July 24, after his last conference with Catesby. See App. Part I. note (B).

† Greenway's MS. p. 60.

sum of money at his disposal, against the day of the explosion, compelled him to trust his secret to two Catholic gentlemen of considerable opulence. The first was a young man of five-and-twenty, Sir Everard Digby, of Gotehurst in Buckinghamshire. At an early age, he was left by the death of his father a ward of the crown, and had in consequence been educated in the Protestant faith. From the university he repaired to the court, where he attracted the notice of Elizabeth; but the year before her death he turned his back to the bright prospect which opened before him, and, retiring to his estates in the country, embraced the religion of his fathers. It was with difficulty that he could be induced to join in the conspiracy. Catesby made use of his accustomed arguments, showed him a passage in a printed book, from which he inferred that the attempt was lawful, and assured him that the fathers of the society had approved of it in general, though they knew not the particulars.* By degrees, the doubts and misgivings of the unfortunate young man were silenced; he suffered himself to be persuaded, promised to contribute a sum of one thousand five hundred pounds, and undertook to invite, about the time of the opening of parliament, most of his Catholic friends to hunt with him on Dunmoor, in Warwickshire.

The second was Francis Tresham, who, on the death of his father in September last, had succeeded to a large property at Rushton, in Northamptonshire. He had formerly been the associate of Catesby and Percy in the attempt of the Earl of Essex, had on its failure escaped trial and execution by the judicious distribution of two or three thousand pounds among the queen's favourites, and had since that time borne his share of persecution on account of his religion. His character was fully known. He had nothing of that daring spirit, that invincible fidelity, which alone could have fitted him to be an accomplice in such an enterprise. He was by nature cold and reserved—selfish and changeable. But his pecuniary resources offered a temptation not to be resisted; and the conspirators (October 15), having administered the usual oath, confided to him their secret, and extorted from him a promise of aiding them with two thousand pounds. But from that moment, Catesby began to feel apprehensions to which he had hitherto been a stranger.

* See Digby's letters at the end of the Gunpowder Treason, p. 249, 251. "I saw," he says, "the principal point of the case judged in a Latin book of M. D., my brother's (Gerard's) father-in-law" (p. 249). (Perhaps it should be N. D., the initials under which Persons, Gerard's superior, had published several works.) Garnet, in an intercepted letter, furtively written to a friend from the Tower, says: "Master Catesby did me much wrong. He told them (his accomplices) that he asked me a question in Q. Elizabeth's time of the powder action, and that I said it was lawful: all which is most untrue. He did it to draw in others."—Original in the State Paper Office.

His mind was harassed with doubts of the fidelity of his new colleague, and his rest was broken by dreams of the most fearful and ominous import.*

At this time, their plan of operations was finally arranged. 1. A list was made of all the peers and commoners whom it was thought desirable to save, on account of their religion, or of their previous opposition to the penal enactments, or of the favour which they had hitherto shown to the Catholics. It was resolved that each of these, if he were in London, should receive, on the very morning, a most urgent message, which might withdraw him to a distance from Westminster, and at so late an hour that the artifice should not be discovered till the blow had been struck.†

2. To Guy Faukes was allotted the desperate office of firing the mine. A ship in the river had been provided at the expense of Tresham to convey him immediately to Flanders, where he was instructed to publish a manifesto in defence of the act, and to despatch letters invoking the aid of all the Catholic powers. It was also hoped that, in consequence of his previous purchases, he would be able to send back by the same vessel a valuable supply of ammunition and volunteers.

3. To Percy, as one of the gentlemen pensioners, it would be easy to enter the palace without exciting suspicion. His task was to obtain possession of the young Prince Charles, to take him, under pretext of greater security, to a carriage in waiting, and thence to conduct him to the general rendezvous of the conspirators.

4. That rendezvous was Dunchurch; whence Digby, Tresham, Grant, and their associates, were to proceed to the house of Lord Harrington, and to possess themselves of the infant Princess Elizabeth.

5. Catesby undertook to proclaim the heir apparent at Charing Cross, and, on his arrival in Warwickshire, to issue a declaration abolishing the three great national grievances of monopolies, purveyance, and wardships.

6. It was agreed that a protector (his name was never suffered to transpire) should be appointed to exercise the royal authority, during the nonage of the new sovereign.

But what, the reader will ask, was to follow from the execu-

* Winter's Confession, 56. Greenway's MS. 57, 58. Besides the money promised by these gentlemen, Percy engaged to advance the Earl of Northumberland's rents, about four thousand pounds.—Winter's Confession, 56.

† Greenway, 39. Winter's Confession, 54. "Divers were to have been brought out of the danger, which now would rather hurt them than otherwise. I do not think there would have been three worth saving that should have been lost. You may guess that I had some friends that were in danger, which I had prevented; but they shall never know it."—Digby's letter to his wife, at the end of the Gunpowder Treason, p. 251.

tion of this plan? Could twelve private individuals, without rank or influence, and stained as they would be with the blood of so many illustrious victims, rationally expect to control the feelings of an exasperated people, to establish a regency, to procure a parliament devoted to their purposes, and to overturn that religious establishment which had now existed half a century? To a sober reasoner, the object would have appeared visionary and unattainable; but *their* passions were inflamed—their imaginations excited; revenge, interest, enthusiasm, urged them forward; they smiled at the most appalling obstacles, and, in defiance of all probability, persuaded themselves that the presence of the royal infants would give a sanction to their cause; that many Protestants, and most Catholics; that disbanded officers and military adventurers; that all to whom a revolution offered the prospect of wealth and honour, would hasten to their standard; and that of their enemies the most formidable would have perished in the explosion—the rest, overwhelmed with terror and uncertainty, would rather seek to escape notice, than to provoke destruction by acts of hostility.*

Garnet, ignorant of these proceedings, still cherished a hope that, by his conference with Catesby, he had induced that conspirator to suspend, if not to abandon, his criminal intention.† He was quickly undeceived. Catesby, whatever he might pretend to his associates, still felt occasional misgivings of conscience, and on that account resolved to open the whole matter in confession to Greenway. That Jesuit, if we may believe his solemn asseveration, condemned the design in the most pointed terms. But Catesby was not to be convinced: to every objection he had prepared an answer; and in conclusion he solicited Greenway to procure the opinion of his provincial under the secrecy of confession. With this view the Jesuit (Oct. 21) applied to Garnet, and received in return a severe reprimand. He had done wrong to entertain any mention of so dangerous a project; he had done worse in imparting it to his superior. Nothing now remained but to divert the conspirator from his sanguinary purpose. Let him therefore employ every argument, every expedient in his power; but, at the same time, let him be careful to keep the present conversation secret from every man living, even from Catesby himself.‡

This communication, however, plunged the unfortunate pro-

* Digby's Letters, 249, 250. Greenway's MS. 58, 59.

† Thus as late as the 28th of August, he wrote to Persons: "For any thinge wee can see, Catholicks are quiet, and likely to continew their oulde patience, and to truste to the kynge and his sone for to rimidie al in tyme."—Gerard, 79. He repeatedly asserted the same at his trial.

‡ I take these particulars from Greenway, who asserts their truth, "on his salvation," MS. 109, and from his oral account to Eudæmon Joannes, Apologia, 259, 260, 290.

vincial into the deepest anxiety. Against his will, and in defiance of the precautions which he had taken, he was become privy to the particulars of the plot; and that plot he found to exceed in atrocity whatever the most fearful mind could have anticipated. The explosion, with its consequences, perpetually presented itself to his imagination; it disabled him from performing his missionary duties by day—it haunted his slumbers by night. In this distressing state of mind he left Harrowden, the seat of Lord Vaux, where it is probable that he had received the information, and proceeded to Coughton, where his presence was expected by several Catholic families, to celebrate the festival of All Saints. Catesby had engaged to be of the party. But he never came; he was detained by an unforeseen occurrence in the neighbourhood of the metropolis.*

With Faukes in his company, Catesby had gone to White Webbs, a house near Enfield Chase; where, while he was engaged in consultation with Winter, he received an unexpected visit from Tresham. There was an embarrassment in the manner of this new associate, a visible effort at concealment, which alarmed his two friends. He pleaded most earnestly that warning of the danger should be given to Lord Mounteagle, who had married his sister. In addition, he suggested a further delay. He could not, he said, furnish money, unless he were allowed time to accomplish certain sales to the amount of sixteen thousand pounds; but the explosion might take place with as much effect at the close, as at the opening, of parliament; and the conspirators for greater security might make use of his ship, which lay in the Thames, and spend the interval in Flanders, where he would supply them with money for their subsistence. The proposal confirmed the suspicions of Catesby; but he deemed it prudent to dissemble, and, after some objections, pretended to acquiesce. Whether Tresham was deceived by him or not, is uncertain; but Tresham's real object was, if we may believe himself, to break up the conspiracy without revealing the names of his associates.†

In the course of a few days, Lord Mounteagle ordered a supper to be prepared, not at his residence in town, but at a house belonging to him at Hoxton—a circumstance so unusual, that it excited much surprise in his family.‡ While he sat at table

* See Note (C).

† The date of this interview is uncertain. It must have happened between the 14th and the 26th of October. I have obtained the particulars from Greenway's MS. 67, who writes on the authority of Catesby; from the sixth examination of Faukes on the 16th; and from that of Tresham on the 13th of November. The latter declares that his real object was to put an end to the plot. "This was the only way that I could resolve on to overthrow the action, to save their lives, and to preserve my own fortunes, lyffe, and reputation." Both examinations are in the State Paper Office.

‡ Mr. Jardine has shown that Lord Mounteagle had been engaged in the Spanish

(Oct. 26), a letter was delivered to him by one of his pages. It had been received from a tall man, whose features were not discernible in the dark. Mounteagle opened the letter, and, seeing that it was without date or signature, and written in a disguised hand, ordered Thomas Ward, a gentleman in his service, to read it aloud. It was as follows:—

"my lord out of the love i beare to some of youer frends i have a caer of youer preservacion therefor i would advyse yowe as yowe tender youer lyf to devyse some exscuse to shift of youer attendance at this parleament for god and man hathe concurred to punishe the wickednes of this tyme and thinke not slightlye of this advertisment but retyere youre self into youre contri wheare yowe maye expect the event in safti for thowghe theare be no apparance of anni stir yet i saye they shall receyve a terribel blowe this parleament and yet they shall not seie who hurts them this cowncel is not to be contemned because it maye do yowe good and can do yowe no harme for the dangere is passed as soon as yowe have burnt the letter and i hope god will give yowe the grace to mak good use of it to whose holy proteccion i comend yowe."*

The following evening (Oct. 27), the very individual who had been requested to read the letter, called on Thomas Winter, one of the conspirators. He related to him the occurrence of the preceding evening; added that his lord had laid the mysterious paper before the secretary of state; and ended by conjuring him, if he were a party to the supposed plot, to provide for his safety by immediate flight. It was a trying moment to Winter:

treason, that he had written to Rome by Baynham, and that he was probably acquainted with the existence of a plot; but he had lately obtained the confidence of the king and council, and was one of the royal commissioners at the late prorogation of parliament. Much ingenuity was employed at the trial of the conspirators to prevent his name from being called in question.—Jardine, 67, 70.

* Archæologia, xii. 200*. It may be asked, who was the writer of this letter? Instead of enumerating the different conjectures of others, I will relate what seems, from Greenway's manuscript, to have been the opinion of the conspirators themselves. They attributed it to Tresham, and suspected a secret understanding between him and Lord Mounteagle;—and that such understanding existed between the writer and Lord Mounteagle can be doubted by no one who attends to the particulars. They were convinced that Tresham had no sooner given his consent, than he repented of it, and sought to break up the plot without betraying his associates. His first expedient was to persuade them to retire to Flanders, in the ship which he had hired in the river. He next wrote the letter; and took care to inform them on the following evening that it had been carried to the secretary, in hope that the danger of discovery would induce them to make use of the opportunity of escape. In this he would undoubtedly have succeeded, had not his cunning been defeated by the superior cunning of Cecil, who allowed no search to be made in the cellar. From that moment, Tresham avoided all participation in their counsels; and, when they fled, he remained in London, showing himself openly, and even offered in person his services to the council. He was not apprehended till the 12th of November; nor sent to the Tower till the 15th. On the 23rd of December he died: nor will the reader be surprised that a death so unexpected, but opportune, should be attributed by his friends to poison.

he endeavoured to master his feelings, assumed a tone of levity, and ridiculed the affair as a hoax on the credulity of Lord Mounteagle. But early in the morning (Oct. 28), he hastened to White Webbs, and communicated the alarming intelligence to his colleague. Catesby, however, was unwilling to despair. He agreed with Winter that Tresham was the writer of the letter. But had he done anything more? Had he revealed the particulars of the plot, or the names of the conspirators? Till that were ascertained, he would hope for the best, and continue to defy the policy and the conjectures of the secretary.

Three days later (Oct. 30), in consequence of a most urgent message, Tresham ventured to meet Catesby and Winter in Enfield Chase. Their resolve was fixed: had he faltered or changed countenance, that moment would have been his last. But he repelled the charge of perfidy with spirit; and maintained his innocence with so many oaths and protestations, that they hesitated to take his life on no better ground than bare suspicion.

On their return they despatched Faukes to examine the cellar. He found every secret mark as he had left it. It was plain that no search had yet been made, and hence it was inferred that no information of the mine had been given. They now for the first time imparted to him the intelligence. He complained of their previous silence as arguing a distrust of his courage; and, to prove that he felt no apprehensions, engaged to revisit the cellar once every day till the fifth of November.*

The king, who had been hunting at Royston, at last returned (Oct. 31). The next day the letter was laid before him. He perused it repeatedly, and spent two hours in consultation with his ministers.† This information, but nothing more, was conveyed to Winter (Nov. 2) by the same attendant on Lord Mounteagle. Winter sought a second interview with Tresham at his house in Lincoln's Inn Walks, and returned to Catesby with the following answer; that the existence of the mine had been com-

* I am indebted for all these particulars to the narration of Greenway, p. 63, who learned them from the conspirators themselves, whom he visited on the sixth of November.—See also Winter's Confession, 57, 58.

† James, in his speech to the parliament on November 9 (Lords' Journals, ii. 358), and in his own works, published by Bishop Montague, takes to himself the merit of being the first to discover the true meaning of the letter to Lord Mounteagle (see Howell, ii. 198), and his flatterers attributed it to a certain "divine illumination" (Coke, Gunpowder Treason, 118): the parliament to "a miraculous discovery, through the divine spirit imparted to him by God" (Stat. iv. 1067): but the contrary is evident from the circular of the Earl of Salisbury. "We (the Earls of Salisbury and Suffolk) both conceived that it could not by any other way be like to be attempted than with powder, whilst the king was sitting in that assembly; of which the lord chamberlain conceived more probability, because there was a great vault under the said chamber we all thought fit to forbear to impart it to the king until some three or four days before the sessions."—Winwood, ii. 171.

municated to the ministers. This Tresham said he knew; but by whom the discovery had been made, he knew not. A council of the conspirators was held. Some proposed to flee immediately to Flanders—others refused to give credit to Tresham. They oscillated from one opinion to another, and finally determined to await the arrival of Percy.

Percy exerted all his powers to confirm the resolution of his associates (Nov. 3). He reminded them of the pains which they had taken, of the difficulties which they had overcome. They were now on the point of reaping the fruit of their labour: would they forfeit it on a mere conjecture—on the credit of a recreant colleague, who, to extricate himself from danger, had probably feigned that which he only feared? Let them wait at least one day longer, and then come to a final resolution. His arguments or his authority prevailed. But a change was made in their former arrangements. Faukes undertook to keep guard within the cellar; Percy and Winter to superintend the operations in London: Catesby and John Wright departed the next day (Nov. 4) for the general rendezvous in Warwickshire.*

Towards evening, the lord chamberlain, whose duty it was to ascertain that the necessary preparations had been made for the opening of the session, visited the parliament-house, and in company with Lord Mounteagle entered the cellar. Casting around an apparently careless glance, he inquired by whom it was occupied; and then, fixing his eye upon Faukes, who was present under the designation of Percy's servant, observed that his master had laid in an abundant provision of fuel. This warning was lost on the determined mind of the conspirator. Though he saw and heard all that passed, he was so fixed on his ruthless purpose, that he resolved to remain to the last moment; and, having acquainted Percy with the circumstance, returned to his post, with a determination, on the first appearance of danger, to fire the mine, and perish in the company of his enemies.

A little after midnight (the reader will observe that it was now the fifth of November, the day appointed for the commencement of the session) Faukes had occasion to open the door of the vault; and at the very moment was seized by Sir Thomas Knevett and a party of soldiers. He was dressed and booted as for a journey—three matches were found in his pockets—and in a corner behind the door was concealed a dark lantern containing a light. The search immediately began; and, on the removal of the fuel, were discovered two hogsheads and above thirty barrels of gunpowder.†

By four o'clock the king and council had assembled to interrogate the prisoner. Faukes stood before them collected and

* Greenway, 64. Winter's Confession, 58.
† Winwood, ii. 171, 172. Gunpowder Treason, 32-37.

undaunted: his replies, though delivered in respectful language, gave no clue to the discovery of his associates. His name, he said, was Johnson—his master, Percy; whether he had or had not accomplices, should never be known from him; his object was to destroy the parliament, as the sole means of putting an end to religious persecution. More than this he refused to disclose, though he was repeatedly examined in the presence of the king. During the intervals, he bore without shrinking the inquisitive gaze of the courtiers; and answered all their questions in a tone of sarcasm and defiance. A Scottish nobleman asked him for what end he had collected so many barrels of gunpowder? "To blow the Scottish beggars back to their native mountains," was the reply. James pronounced him the English Scævola.*

In the Tower, though orders were given that he should be racked to extremity, his resolution was not to be subdued; nor did he consent to make any disclosure till his associates had announced themselves by appearing in arms.† They, the moment they heard of his apprehension, had mounted their horses, and on the same evening reached the hunting-party at Dunchurch. There was something mysterious in their sudden arrival, in their dejected appearance, and in their long and serious consultation with Sir Everard Digby. Before midnight, a whisper of disappointed treason was circulated; the guests gradually took their leave, and three only remained to share the desperate fate of their friends. The seizure of the Princess Elizabeth was no longer an object: they traversed in haste the counties of Warwick and Worcester, to Holbeach, the residence of Stephen Littleton, one of their new associates. On their road they took by force arms and horses from two individuals; but to their dismay every Catholic from whom they solicited aid on the road shut his doors against them, and the sheriffs of each county followed, though at a respectful distance, with an armed force.‡ At Holbeach House they resolved to turn on their pursuers. Though they could not muster, with the addition of their servants, more than fifty, perhaps forty, men, yet, well-horsed and well-armed, they believed themselves a match for the tumultuary host of their adversaries, and a victory in such circumstances would pro-

* James's Works, apud Howell, ii. 201. Birch's Negotiations, p. 239.

† "The gentler tortures are to be first used unto him, et sic per gradus ad ima tendatur."—James's Instructions, Nov. 6, in the State Paper Office. See in Mr. Jardine's Criminal Trials (i. p. 17, 18) two fac-similes of his signature, the first, in a good bold hand, before torture, the second after torture, exhibiting the word "Guido" in an almost illegible scrawl, and two ill-formed strokes in place of his surname. He appears to have been unable to hold the pen any longer.

‡ Greenway, 70. They took this route in expectation that Mr. Talbot would join them, in which case they had no doubt of beating their pursuers, or of bringing them to terms. But Talbot refused to see them, or to receive any message from them.—Digby's Letters, 250, in Gunpowder Treason.

bably add to their numbers,—would certainly allow time to provide for their safety. But on the fourth morning (Nov. 8) after the discovery of the plot, during their preparation for battle, a spark of fire accidentally fell among the powder which they had spread out to dry. Catesby and some of his accomplices were severely burnt; and the majority of their followers took advantage of the confusion to make their escape. Within an hour the house was surrounded. To a summons from the sheriff was returned a haughty defiance; not that the inmates cherished the hope of saving their lives, but they sought to avoid the knife of the executioner by provoking the hostility of their pursuers. With this view Catesby, Percy, and the two Wrights, armed with their swords only, exposed themselves in the court to the shot of their assailants, and were all mortally wounded. Thomas Winter, who had accompanied them, retreated into the house; where, with Rookwood, Grant, and Keyes, who had suffered from the explosion, he was after some resistance made prisoner. Digby, with two of his servants, burst through his opponents, but was pursued to a wood near Dudley, where he was surrounded and taken. Robert Winter and Littleton had effected their escape at a more early hour; but, after a long succession of most dangerous adventures, were at last betrayed by a servant of Mrs. Littleton, a widow, in whose house, at Hagley, they had been secreted without her knowledge, by her cousin Humphrey Littleton.

More than two months intervened between the apprehension and the trial of the conspirators. The ministers had persuaded themselves, or wished to persuade others, that the Jesuit missionaries were deeply implicated in the plot. On this account the prisoners were subjected to repeated examinations; every artifice which ingenuity could devise, both promises and threats, the sight of the rack, and occasionally the infliction of torture, were employed to draw from them some avowal which might furnish a ground for the charge; and, in a proclamation issued for the apprehension of Gerard, Garnet, and Greenway (Jan. 15, 1606), it was said "to be plain and evident from the examinations, that all three had been peculiarly practisers in the plot, and therefore no less pernicious than the actors and counsellors of the treason."*

At length (Jan. 27) the eight prisoners were arraigned. They all pleaded not guilty; not, they wished it to be observed, because they denied their participation in the conspiracy, but because the indictment contained much to which, till that day, they had been strangers. It was false that the three Jesuits had been the authors of the conspiracy, or had ever held consultations with them on the subject: as far as had come to their

* Rymer, xvi. 639.

knowledge, all three were innocent. With respect to themselves, they had certainly entertained the design laid to their charge; but, whatever men might think of the fact, they would maintain that their intention was innocent before God. Some of them had already lost most of their property,—all had suffered severely on account of their religion. The king had broken his promise of toleration, and the malice of their enemies daily aggravated their burdens. No means of liberation was left but that which they had adopted. Their only object was to relieve themselves and their brethren from the cruelty of the persecutors, and to restore a worship which, in their consciences, they believed to be the true worship of Christ; and for this they had risked, and for this they were ready to sacrifice, their fortunes and lives. In reply, the Earls of Salisbury and Northampton strongly asserted that the king had not broken his faith; and that the promises on which the Catholics relied had been the fictions of designing men in their own body. The prisoners received judgment, and suffered the punishment of traitors (Jan. 30), having on the scaffold repeated the same sentiments which they had before uttered at their trials.*

Of the three Jesuits mentioned in the proclamation, Gerard and Greenway, after many adventures, escaped to the continent. Garnet, having previously sent to the council a protestation of his innocence, secreted himself at Hendlip, near Worcester, in the house of Thomas Abingdon, who had married the sister of Lord Mounteagle. The place of his concealment was known to Humphrey Littleton, who had not yet been brought to trial; and the hope of saving his own life induced him to communicate the intelligence to the council. Sir Henry Bromley, a neighbouring magistrate, received a commission (Jan. 20) to proceed to Hendlip with an armed force. Mrs. Abingdon, in the absence of her husband, delivered to him her keys with an air of cheerfulness; every apartment was rigorously and repeatedly searched, and guards were stationed by day and night in each passage, and at all the outlets. Thus three days passed, and no discovery was made; but on the fourth (Jan. 23) two strange men suddenly appeared in a gallery, and were instantly apprehended. They proved to be Owen, the servant of Garnet, and Chambers, the servant of Oldcorne, another Jesuit, whom hunger had compelled to leave their hiding-place. This success stimulated the efforts of the pursuivants. The search proceeded; nine other secret chambers were discovered; and on the eighth day (Jan. 28) an opening was found into that in which the two priests lay concealed. All four, with the master of the house,

* See "A true and perfect relation of the whole proceedings, 1606;" also Harleian Miscellany, iii. 127. Gerard, in his MS. account (107-121), frequently contradicts this writer. So does Stowe's Chronicle, 881.

who had returned, during the interval, were conducted to London (Feb. 14), and committed to the Tower.*

A bill to attaint the conspirators who died at Holbeach, or had already been convicted, was brought into the House of Lords (Feb. 1); but into it were introduced, in imitation of the odious practice during the reign of Henry VIII., the names of several individuals, some of whom had not yet been apprehended—none had been arraigned. The lords hesitated: they required (Feb. 8) to be put in possession of the evidence against the latter; and, when they had heard the attorney-general (Feb. 8), resolved not to proceed with the bill till more satisfactory information could be procured.† Day after day the commissioners proceeded to the Tower. They interrogated the prisoners; they placed the two servants on the rack; they threatened Garnet with torture, and received for answer, *Minare ista pueris*—threaten children with such things. Nothing of importance could be elicited, when the Jesuit, though on his guard against his professed enemies, allowed his simplicity to be deceived by pretensions of friendship. His warder, by order of the lieutenant, spoke to him in a tone of pity; affected to venerate him as a martyr for religion; and offered to him every indulgence which could be granted, consistently with his own safety. Garnet eagerly accepted his services, and, through the medium of this unexpected friend, commenced a correspondence with several Catholics. But, though the letters on both sides were carried to the lieutenant, and by him submitted to the inspection of the commissioners, they furnished no new intelli-

* Gerard, 87-89. Greenway, 95-97. "A true discovery of the service performed at Hendlip," in the appendix to the second volume of Mr. Butler's Memoirs of British Catholics, third edition, p. 442. The opening was from an upper room through the fireplace. The wooden border of the hearth was made to take up and put down like a trap-door, and the bricks were taken out and replaced in their courses whenever it was used.—Fowlis, 698. Mr. Hallam mentions "the damning circumstance against Garnet, that he was taken at Hendlip in concealment along with the other conspirators."—Const. Hist. i. 554. This must be an unintentional mistake. His only companion was Oldcorne, Abingdon's chaplain, and not one of the conspirators.

† This account is given both by Gerard and Greenway, and it is supported by the journals. The bill was read the first time on February 1; the attorney-general was ordered to attend with his proofs on February 3. He obeyed, and on the 8th the Earl of Northampton, in the name of the committee, moved that, "as, upon the examination of the Jesuits and seminaries named in the bill, some more particular discovery might be made of the said treason, therefore stay might be made of any further proceeding on that bill, till the said examination might be taken."—Journals, 366, 367, 370. At Garnet's trial Coke noticed this circumstance, and, in reply to the inference drawn from it, observed that the bill was introduced before the apprehension of the Jesuit, and that his majesty would not let it proceed till the trial had taken place by just course of law.—Gunpowder Treason, 148, 149. Yet both parts of this reply are contradicted by the journals; for the bill was introduced February 1, three days after the apprehension of Garnet, and the reason given for the delay was that which I have copied above.

gence, no proof whatever against the prisoner or his friends.* Another experiment was then made. The warder, unlocking a door in Garnet's cell, showed him another door on the opposite side of the wall. That, he said, was the only separation between him and Oldcorne, with whom he was at liberty to converse at his pleasure; suppressing the fact that, within a cavity formed in the passage, were actually secreted Lockerson, the private secretary of Cecil, and Forsett, a magistrate attached to the Tower. It was an artifice that had previously been played off upon Winter and Faukes, who had the caution or the good fortune to disappoint the expectation of the contrivers; but the two Jesuits, unsuspicious of treachery, improved the opportunity (Feb. 21-27) to speak without reserve of their situation, of their hopes and fears, of the ingenuity with which they had parried the questions put to them in their past, and of the questions which they feared might be put in their future, examinations. Five times were they thus perfidiously indulged with the means of betraying themselves: the reports of four of these conversations are still preserved; and, though there is nothing in them to bring home the knowledge of the conspiracy to Garnet, there is much calculated to provoke suspicion, and much to show that there was some important secret which had hitherto escaped the research of the commissioners.† This success stimulated the council to fresh exertions: interrogatories were framed from the facts disclosed by the reports; Oldcorne, Owen, Chambers, and Johnson, the chief servant at White Webbs, were examined (March 1); and the rack was again called into action to subdue their obstinacy (March 2). Yet nothing of importance could be drawn from the servants, and little more than an admission of his conversation with Garnet from Oldcorne.‡ After this

* The letters were written with common ink, and on ordinary subjects; but, in addition, notes were inserted written with the juice of oranges or lemons, which on the application of heat became visible. On this account the lieutenant found it necessary to retain the originals, and to forward exact copies.—Greenway's MS. 105. Some of these letters are still in the State Paper Office.

† In former editions, I stated, on the authority of Gerard and Greenway, that Garnet, to a question from Oldcorne, replied, that with respect to his knowledge of the conspiracy he was safe, "being there was no man living who could touch him but one." If he ever used these words, it must have been in the first meeting, the report of which is lost. There is no mention of them in the reports of the other four published by Mr. Jardine, p. 216-225; and they are stated by De Thou to have been used by him when he sought to excuse to the commissioners his denial of his conversation with Oldcorne. He did it, quod sciret neminem, excepto uno, de hoc nupero facinore posse suam conscientiam arguere.—Thuan. vi. 344.

‡ Greenway (111) assures us that Oldcorne was tortured repeatedly; and the same is stated of the other three by Garnet, in an intercepted letter of March 3. On the first of that month Owen was tortured, and assured that, on his next examination, he should be stretched again upon the rack. On the third he died—on the rack itself, through extremity of torture, if we may believe the Catholic writers—in his cell, by his own hand, according to the Protestant. At the inquest, it was

(March 5) Garnet himself was asked if he had not spoken with Oldcorne in the Tower. He denied it most vehemently. The confession of his fellow-prisoner was shown to him. He replied, that Oldcorne might be weak enough to accuse himself falsely, but he never would. The reports of Lockerson and Forsett were then read. He could not resist this additional evidence; and, overwhelmed and abashed, he acknowledged the fact.

Still nothing had transpired to connect him immediately with the conspirators. But, aware of the injury which he had done to himself by the obstinacy of his denial, and under his expectation of being summoned every moment to the rack, he deemed it prudent to act with more candour. Examination followed examination: from one admission he was artfully led on to another of greater importance; and at last (March 12) he acknowledged that he knew of Catesby being engaged in some practice against the state, and had repeatedly warned him to desist; and that subsequently he understood from Greenway the real object of the plot, but could not conscientiously reveal it, because it had been communicated to him under the seal of confession.*

Thus, after an interval of two months, was laid a ground for the trial of the prisoner (March 28). The interest which it excited appeared from the crowd of spectators assembled in the court, among whom were the king himself, all the foreign ambassadors, and most of the members of parliament. Sir Edward Coke, the attorney-general, spoke for some hours. He detailed all the plots, real or imaginary, which had ever been attributed to the Catholics since the accession of Queen Elizabeth; he declaimed against the jesuitical doctrine of equivocation, and the temporal pretensions of the pontiffs; he described the missionaries in general, and the Jesuits in particular, as leagued in an impious conspiracy to destroy the king and the leaders of the Protestant interest. But, when he descended to the real merits of the indictment, he soon betrayed the poverty of his case. Not a word was said of the confessions, or the witnesses, or the dying declarations, by which he had engaged to prove that Garnet had been the original framer of the plot, and the confidential adviser of the conspirators. This part of the charge was

deposed that the straw on which he lay was bloody, and that he had ripped his belly open with a blunt knife. It matters little which is true; "for there is no great difference," remarks Mr. Jardine, "between the guilt of homicide by actual torture, and that of urging to suicide by the insupportable threat of its renewal" (215).—Straw was the only bedding furnished to prisoners in the Tower, unless they could hire, or procure from their friends, something better. Garnet, in his letter, says, "If we have any money of the society, I wish beds for James, Jahn (Owen), and Harry, who have all been often tortured." The blunt knife was that which was given to the prisoners at their meals, without point, or even edge, except about the middle of the blade, that it might not be converted into a weapon of mischief.—Greenway's MS. 117. * Jardine, 225-227.

seen to rest on his bare assertion, supported only by a few unimportant facts susceptible of a very different interpretation. Garnet replied with temper and firmness; but was so often interrupted by questions and remarks from the attorney-general and the commissioners on the bench, that the king himself declared they had not given him fair play. He acknowledged that he had heard of the plot in confession; but among Catholics the secrecy of confession was inviolable. Were it otherwise, no one would disclose his intended crimes to him, who of all men was most likely, by his advice and authority, to divert the sinner from the guilt which he meditated. As for himself, he abhorred the plot as much as the most loyal of his prosecutors; and had done to prevent it whatever in his conscience he could persuade himself that it was lawful for him to do. The attorney-general had indeed attempted to prove in him a traitorous intention from several circumstances; but these, he could show, proceeded from very different motives, and ought to lead to an opposite conclusion. The jury were not to judge from conjectures and presumptions; what he had asserted was the whole truth: nor had the prosecutor attempted to bring forward any direct evidence to the contrary.—Though a verdict of guilty was returned, his friends professed themselves satisfied with the proceedings. All that had been proved against him was, that he had not betrayed the secret confided to him in confession. The boast of Coke, that he would show him to have been the author and adviser of the plot, had failed; and Cecil himself had confessed, that nothing more had been produced against him than had been disclosed by his conference with Oldcorne. Under such circumstances, they asserted that, if he were to suffer, he would suffer, not for treason, but for the conscientious discharge of his duty.*

From these proceedings it is plain that Garnet had incurred the legal guilt of misprision of treason; but that he had committed any overt act of treason, was not proved, nor attempted to be proved, by evidence either written or oral.† For some unknown reason, perhaps the king's uncertainty as to the real

* There are several accounts of this celebrated trial. That published by authority, under the title of "A true and perfect relation of the whole proceedings," has been reprinted in the State Trials, ii. 217; but, from the partiality with which it evidently mutilates the answers and defence of Garnet, it should be compared with the relations published by his friends, which may be seen in Bartoli, 546, More, 316, and in Mr. Butler's Memoirs, ii. 124. Gerard in his MS. narrative, p. 137, remarks that the jury, when they returned their verdict, confined it to the guilt of having concealed the knowledge which he had received of the conspiracy.—See Note (C).

† His examinations were so garbled and intermixed at the trial, that an incautious reader might infer from them, that he had repeatedly conferred with Catesby about the gunpowder plot. That was not the case. He merely advised Catesby to desist from any treasonable practice in which he might be engaged.

nature of his guilt, or the royal unwillingness to offend the foreign powers that interceded for him, more than two months were permitted to elapse between his condemnation and execution: a long and anxious interval, which, however, he was not suffered to spend in peaceful preparation for the fate which awaited him. He had been examined three-and-twenty times before his trial: after trial, the examinations were resumed. To draw new avowals from him, he was falsely informed that Greenway, whom he believed to have escaped to the continent, was in fact a fellow-prisoner in the Tower; and that five hundred Catholics, shocked at his connection with the plot, had conformed to the established church. Under these impressions, he was induced to write, in his own vindication, letters to Mrs. Anne Vaux (April 3), who was actually, and to Greenway (April 4), whom he supposed to be, in the Tower: which letters of course found their way into the hands of the lieutenant. These, however, fortunately for the writer, had been so cautiously worded, as to supply no fresh matter of charge against him. At the same time, he wrote to the king, protesting in strong terms his abhorrence of "the powder action" as sinful and most horrible; declaring that he had always been of opinion that it was unlawful to attempt violence against the king or state since his majesty's accession; and also acknowledging that it was his bounden duty to disclose every treason which might come to his knowledge out of the sacrament of confession. It was in this last point that he had offended. Partly through reluctance to betray his friend, partly with the hope of being able to reclaim him, he did not reveal the *general* knowledge which he had from Catesby of his intention; and for that offence he humbly sought forgiveness from his sovereign.*

The reader will observe that, under allusion to "the sacrament of confession," Garnet sought to cover his concealment of the disclosure made to him by Greenway. He was immediately (April 4), called before the commissioners, and falsely given to understand that, according to the statement of Greenway himself, the communication was not made to him in confession.† This added to his perplexity. He wavered, made several attempts to reconcile his own with the supposed statement of Greenway, and concluded by declaring (April 25) that, whatever might have been the intention of his brother, he had always considered the communication as made with reference to confession.‡

Then, for the first time, three weeks after his letter to Greenway had been intercepted, he was examined whether he had not

* See it in Jardine, 322.

† This is plain from the drift of his answers.

‡ Tortura Torti, 425. Antilogia, 140. Casaubon ad Front. 132.

corresponded with that traitor. He denied on his priesthood that he had ever sent letter or message to him, since they parted at Coughton. The commissioners exhibited to him the intercepted letter. He acknowledged it; but maintained that he had done nothing wrong. *They* were the persons to be blamed; they, who, being in possession of the letter, had nevertheless put the question to him as if they were not. In this instance, as in several others since his imprisonment, he had acted on the principle, that no man is bound to betray himself; whence he ingeniously inferred that, where the acknowledgment of a fact might endanger his life, it was lawful to deny it with the aid of equivocation, till it should be proved against him by direct evidence.*

Three days later (April 28) he was interrogated a second time respecting the doctrine of equivocation, and boldly declared that the practice of requiring men to accuse themselves was barbarous and unjust; that in all such cases it was lawful to employ equivocation, and to confirm, if it were necessary, that equivocation with an oath; and that if Tresham, as had been pretended, had equivocated on his death-bed, he might have had reasons which would justify him in the sight of God.† To these and similar avowals I ascribe his execution. By seeking shelter under equivocation, he had deprived himself of the protection which the truth might have afforded him; nor could he in such circumstances reasonably complain if the king refused credit to his asseverations of innocence, and permitted the law to take its course.‡ Six weeks after his trial the fatal warrant was signed (May 3). On the scaffold, according to the ambiguous language of the official account, he confessed his guilt; but if we may credit the letters of spectators, he denied all knowledge of the plot, except by confession; and, though he begged pardon of the king, he was careful to add that it was not for any participation in the treason, but for the legal offence, of having con-

* Examinations in the State Paper Office.

† "This I acknowledge to be according to my opinion and the opinion of the schoolmen. And our reason is, for that, in cases of lawful equivocation, the speech by equivocation being saved from a lye, the same speech may be without perjury confirmed by oath, or by any other usual way, though it were by receiving the sacrament, if just necessity so require.—Henry Garnet." Original in the State Paper Office in Garnet's own handwriting.

‡ It should, however, be observed that Garnet's enemies, in their attempt to convict him, paid as little respect to truth, as the prisoner himself in his efforts to justify or excuse his conduct. The reader is acquainted with the falsehoods which were told to him respecting Greenway, to draw concessions from him: but, what was still worse, at the trial his admissions were presented to the jury stripped of those qualifications with which he had clothed them, and with which they spoke more in his favour than against him. This was "a forgery of evidence. For, when a qualified statement is made, the suppression of the qualification is no less a forgery, than if the whole statement had been fabricated."—Jardine, 358. Certainly, if we condemn Garnet for the use of equivocation to save his life, we cannot excuse those who employed falsehood and forgery to take it from him.

cealed the general knowledge which he had acquired of some practice against the state, designed by Catesby. His pious and constant demeanour excited the sympathy of the crowd: their vociferations checked the impatience of the executioner; and the cruel operation of quartering was deferred till he was fully dead.*

Though James was satisfied that the great body of the English Catholics had been kept in ignorance of the plot, he still believed that all its ramifications had not yet (Nov. 8) been discovered. There could be no doubt that Faukes had admitted associates in Flanders, and suspicion attached to Owen, a Welsh Catholic, and to Baldwin, a Jesuit, who were both saved from prosecution by the obstinate refusal of the archduke and the king of Spain to deliver them into the hands of the English ambassador.† At home, the domestic relation between the Earl of Northumberland and the traitor Percy was deemed a sufficient reason to place the former under restraint in the house of the Archbishop of Canterbury; and the confession of the conspirators that Catesby wished to save the Viscount Montague, and knew the intention of the Lords Mordaunt and Stourton to be absent from parliament, led to the arrest of these three noblemen.‡ It was in vain that they protested their ignorance of the treason; they were condemned in the Star-chamber (June 1) to suffer imprisonment during the royal pleasure, and to pay fines to the king,—the Lord Stourton in six thousand, the Lord Mordaunt in ten thousand, pounds, and the Viscount Montague in a still larger sum.§ The earl was committed to the Tower and repeatedly examined; but he answered from the beginning with

* It was reported generally that he had confessed his guilt (Gunpowder Treason, 225, 226; Boderie, i. 49), but that confession was confined to his concealment of his suspicions.—More, 328. Butler's Memoirs, ii. 157, third edition. Challoner, ii. 483. Eudæmon Joan. 349.

† Owen was servant to the King of Spain, who demanded the proofs of his guilt to be sent to Brussels, and promised to punish him if he were guilty. This was refused. Baldwin was apprehended in 1610 by the elector palatine, as he was passing through his dominions, and was sent to England. He underwent many examinations in the Tower, at the last of which the king assisted, but nothing was discovered to prove him guilty.—Winwood, ii. 183, 187, 189, 227, 233; iii. 211, 407. Bartoli, 517.

‡ Faukes confessed that "Catesby told him Lord Mordaunt would not be there the first day, because he would not be present at the sermon; for as yet the king did not know he was a Catholique, and that the Lord Stourton's occasions were such he could not come to town before the Friday after."—Original MS. in the State Paper Office. There are in the same collection two letters from Lord Montague to the lord treasurer, declaring his innocence, and denying that he had any warning of the plot. Cecil, in a letter to Sir Thomas Edmonds, says, that Percy wished to save Northumberland and Mounteagle, and that Catesby knew Stourton, Mordaunt, and Montague would be absent.—Birch, 244.

§ It was customary to compound for fines in the Star-chamber. Northumberland compounded for eleven thousand pounds, Montague for four thousand pounds, Stourton for one thousand pounds. I suspect Mordaunt's fine was entirely remitted.—See "the Abstract of his Majesty's Revenue," p. 11.

an air of scorn and confidence, pointing out the method of discovering his guilt, if he were guilty,* and braving his accusers to bring him to a public trial by due course of law. They preferred to arraign him, after a delay of seven months (June 6), in the Star-chamber, on the following extraordinary charges:—1. That he had sought to be the head of the papists, and to procure toleration. 2. That he had admitted Percy to be a gentleman pensioner without exacting from him the oath of supremacy. 3. That, after his restraint, he had written two letters to his servants in the north, requesting them to take care that Percy did not carry off his money and rents; and in this had committed a threefold offence,—1. In presuming to write letters without leave; 2. In preferring the safety of his money to the safety of the king; 3. In giving warning to Percy to take care of his own person. He was adjudged to pay a fine of three hundred thousand pounds, to be deprived of all his offices, to be held incapable of any for the future, and to remain a prisoner during life in the Tower. So severe a punishment excited surprise; but the reasons were, that he had long been the political antagonist of Cecil; that in the Tower he had displayed a spirit which alarmed the weak mind of James; and that he was supposed to be the individual to whom, had the plot succeeded, the conspirators would have offered the dignity of protector during the minority of the next sovereign. Lord Mounteagle received, in reward of his loyalty, lands to the yearly value of two hundred pounds, and an annuity of five hundred pounds for life.†

The chief object for which the parliament had been summoned to meet in November was, to supply the royal coffers, which James had emptied by profuse donations to his countrymen, and by the extravagance of his establishment. After a long adjournment, occasioned by the discovery of the gunpowder plot, the two houses assembled (Jan. 21). The Lords appeared, as usual,

* He required them to take the deposition of Percy before he died of his wounds. "He can shew me clear as the day, or dark as the night. He will tell the truth, being about to render his account to God."—Letter in the State Paper Office. See also Les Ambassades de Boderie, i. 122, 180, 299; Collins's Peerage, ii. 426. His examinations are in the State Paper Office, but contain nothing of consequence. In the Tower he applied himself entirely to scientific and literary pursuits, and by his liberality to men of learning, became the Mecænas of the age. From the number of mathematicians who were generally in his company, and ate at his table, he acquired the name of Henry the wizard. Among them were Hill, Allen, Hariot, Dee, Torperley, and Warner, "the Atlantes of the mathematical world," most of whom enjoyed annuities from his bounty.—Collins, ii. 438. In the year 1611, Cecil conceived that he had discovered new matter against him, from the testimony of a dismissed servant. He was again subjected to examination, and again foiled the ingenuity or malice of his persecutor.—Winwood, iii. 287, 288. In 1617 the king's favourite, Hay, afterwards Earl of Carlisle, married his daughter Lucy against his will, which irritated him so, that, when his son-in-law obtained from James an order for his liberation, it was with difficulty that he could be induced to accept of the favour, after an imprisonment of thirteen years.—See Birch, 246; Sydney Papers, ii. 350. † Boderie, i. 122, 180, 299.

to have no other wish than to gratify the sovereign; but the Commons resumed that bold tone of expostulation and resistance which had given so much offence in the last session.

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On one question, however, there was likely to be but little dissension between them and the crown,—the revision of the penal code, as far as regarded the prohibition of the Catholic worship. To a thinking mind, the late conspiracy must have proved the danger and impolicy of driving men to desperation by the punishment of religious opinion. But the warning was lost; the existing enactments, oppressive and sanguinary as they were, appeared too indulgent; and, though justice had been satisfied by the death and execution of the guilty, revenge and fanaticism sought out additional victims among the innocent. Every member was ordered (Feb. 3) to stand up in his place, and to propound those measures which in his judgment he thought most expedient. These, in successive conferences, were communicated by one house to the other, and in each, motions were made and entertained, as abhorrent from the common feelings of humanity as the conspiracy itself. Henry IV. of France thought it the duty of a friend to interpose with his advice; and Boderie, his ambassador, was ordered to represent to the king (April 5), that his master had learned from experience the strong hold which religion has on the human breast; that it is a flame which burns with increasing fierceness in proportion to the violence employed to extinguish it; that persecution exalts the mind above itself, teaches it to glory in suffering, and renders it capable of every sacrifice in the cause of conscience; that much might be done by kindness—little by severity. Let him punish the guilty—it was his duty; but it was equally his duty to spare the innocent, even in opposition to the wishes of his parliament; as it was also his interest not to goad the Catholics into plots for his destruction, but to convince them that they possessed a protector in the person of their sovereign.*

After a long succession of debates, conferences, and amendments, the new code received the royal assent (May 27). It repealed none of the laws then in force, but added to their severity by two new bills, containing more than seventy articles,

* Ambassades de Boderie, i. 22, 80. James replied to the ambassador, who could not obtain an audience till the end of the session, that he was by disposition an enemy to harsh and cruel measures; that he had repeatedly checked the eagerness of his ministers; but that the Catholics were so infected with the doctrine of the Jesuits, respecting the subordination of the royal to the papal authority, that he was compelled to leave the matter to the decision of his parliament. The ambassador observed, that he ought at least to make a difference between those who held and those who rejected that doctrine. It was no article of the Catholic faith, as had been fully proved in France, where many stanch Catholics had lately aided the king in opposition to the papal bulls; and he had no doubt that the same opinion prevailed among the English Catholics.—Ibid. p. 82.

inflicting penalties on the Catholics in all their several capacities of masters, servants, husbands, parents, children, heirs, executors, patrons, barristers, and physicians. 1. Catholic recusants were forbidden, under particular penalties, to appear at court, to dwell within the boundaries, or ten miles of the boundaries, of the city of London, or to remove on any occasion more than five miles from their homes, without a special license under the signatures of four neighbouring magistrates. 2. They were made incapable of practising in surgery or physic, or in the common or civil law; of acting as judges, clerks, or officers in any court or corporation; of presenting to the livings, schools, or hospitals in their gift; or of performing the offices of administrators, executors, or guardians. 3. Husbands and wives, unless they had been married by a Protestant minister, were made to forfeit every benefit to which he or she might otherwise be entitled from the property of the other; unless their children were baptized by a Protestant minister within a month after the birth, each omission subjected them to a fine of one hundred pounds; and, if after death they were not buried in a Protestant cemetery, their executors were liable to pay for each corpse the sum of twenty pounds. 4. Every child sent for education beyond the sea, was from that moment debarred from taking any benefit by devise, descent, or gift, until he should return and conform to the established church, all such benefit being assigned by law to the Protestant next of kin. 5. Every recusant was placed in the same situation as if he had been excommunicated by name; his house might be searched, his books and furniture, having, or thought to have, any relation to his worship or religion, might be burnt, and his horses and arms might be taken from him at any time, by order of the neighbouring magistrates. 6. All the existing penalties for absence from church were continued, but with two improvements: 1. It was made optional in the king, whether he would take the fine of twenty pounds per lunar month, or, in lieu of it, all the personal, and two-thirds of the real, estate; and 2. Every householder, of whatever religion, receiving Catholic visitors, or keeping Catholic servants, was liable to pay for each individual ten pounds per lunar month.* The first of these two enactments led to an additional and perhaps unintended grievance. Hitherto, the power reserved to the king, of entering into possession of two-thirds of a recusant's lands, could be exercised only in punishment of his default by the nonpayment of the fine of twenty pounds per

* The fine of ten pounds per month for a Catholic servant was found an intolerable burden. "Il y eut l'autre jour un seul seigneur qui donna congé à soixante: J'en sçais d'autres de très bonne qualité, qui sont résolus de souffrir tout plutôt que de congédier les leurs. C'est une dangereuse arme que le désespoir en mains de personnes qui n'ont rien à perdre." July 20.—Boderie, i. p. 232. He says that almost all the lords had many Catholics, on account of their greater fidelity.

month; but now that it had become optional on the king's part, at any time, whether the fines had been paid or not, the royal favourites were not slow to discover the benefit which it might enable them to derive from the indulgence of the sovereign. They prevailed on James to make over to them a certain number of the most opulent recusants, who, to prevent the two-thirds of their lands from being seized at the suit of the crown, would deem it advisable to compound with the grantees, whatever sacrifices such composition might cost them. There still exist in the State Paper Office returns made from the Signet Office of these grants, in language sufficiently indicative of their real nature. They are "Notes of such recusants as his Majesty hath granted liberty to his servants *to make profit of*, by virtue of that power which his Majesty hath, to refuse the payment of twenty pounds per mensem, and in lieu thereof to extend three parts of their lands." The first on the list is the Scottish favourite, Lord Hay, to whom are granted, that he may make profit of them, the following recusants: Thomas Arundell, of Lanhern; John Townley, of Townley, Lancashire; John Talbot, of Grafton; John Southcot and William Green, of Essex; and Richard Cotton, of Warblington, Southampton; all of them men of extensive landed property, from whose fears and anxieties there can be no doubt that the Scottish grantee would contrive to reap a very profitable harvest. It was a grievance, however, which lasted in full operation for years; and the reader may imagine the vexation, the heartburning, the distress which the unfortunate recusants must have felt, when they found themselves, without cause on their parts, delivered over, bound and gagged, to the mercy of the spoiler; and, moreover, the feverish excitement and annoying uncertainty in which those, who had hitherto escaped, must have continued to live, aware as they must have been that the visitation, which had befallen their co-religionists, would in its turn fall with equal severity on themselves.*

* We are indebted to Mr. Tierney (vol. iv. App. ix. p. lxxv.) for the publication of several of these schedules from the originals in the State Paper Office. A few of the grantees are English, the great majority Scottish. The two latest grants are to Mr. Henry Stuart, laird of Craigihall, and the Lady Elizabeth Stuart (his wife ?), to each of whom are granted not fewer than ten very opulent recusants, "to make profit of."

ACCOUNT

OF

THE GUNPOWDER PLOT.

(*Extracted from* TIERNEY'S *Edition of* DODD'S *Church History, Vol. IV. p. 35, et seq.*)

UPON the decease of Queen Elizabeth, Catholics had conceived strong hopes that things would be much better with them, in regard of religion; many of them being of opinion, that King James would favour them with extraordinary privileges. Some expected a toleration: others, more sanguine, thought his majesty himself was not much averse to the Catholic cause, and only wanted to be well supported in his inclinations. They frequently entertained themselves with the subject, suggesting the grounds of their belief, viz., the many favours he had received from the King of Spain, and other Catholic princes, when he was distressed by his subjects in Scotland; the correspondence he held with several missioners of the see of Rome, upon some matters not known to the public; the entire respect he had for the memory of his mother, who never was persecuted, or ill-spoken of, but by the reformed churches; with several kind expressions, dropping from him in discourse, which all tended to the same purpose. But what chiefly spirited up some particular persons of that party was, a discourse Secretary Cecil had with Mr. Tresham and some other Catholics of figure; importing, that his majesty would not frustrate their expectations, but make good all he had promised, while he was king in Scotland.*

* [That the Catholics not only entertained, but were justified in entertaining, these hopes of toleration from James is certain.—1. It was known that, in most of his religious opinions, he approached at least, if he did not entirely assent, to the doctrines of the ancient church. In a despatch of Beaumont, the French ambassador, cited by Mr. Jardine (ii. 17), we are told that, immediately after the arrival of that minister in London, the king assured him "qu'il n'étoit point hérétique, c'est à dire refusant à connoître la vérité; qu'il n'étoit non plus puritain, ni moins séparé d'église; qu'il y estimoit la hiérarchie nécessaire; par consequent, *qu'il avoueroit toujours le pape pour le premier évêque, et en icelle, président et moderateur au concile,* mais non chef ni supérieur." In his "Premonition" to the "Apology for the oath of allegiance," James himself, having professed his belief in the three creeds, in the early councils, and in the scriptures as interpreted by the fathers of the first four centuries; having moreover declared his willingness to honour the saints, to observe their festivals, and to reverence her who, "blessed amongst women," is "the mother of God . . . , in glory both above angels and men," thus proceeds to speak on the same subject of the supremacy. "That bishops ought to be in the church I ever maintained, as an apostolic institution. . . . Of bishops

Now, whether these gentlemen took hopes for promises; whether King James found himself incapable to make good his

and church hierarchy I very well allow, and likewise of ranks and degrees amongst bishops. Patriarchs, I know, were in the time of the primitive church (and I likewise reverence that institution for order sake); and amongst them was a contention for the first place. And, for myself, if that were yet the question, *I would, with all my heart, give my consent that the bishop of Rome should have the first seat. I, being a western king, would go with the patriarch of the west.* And for his temporal principality over the seignory of Rome, I do not quarrel with it neither. Let him, in God's name, be *primus episcopus inter omnes episcopos*, and *princeps episcoporum*, so it be no otherwise than as St. Peter was *princeps apostolorum*" (pp. 45, 46). These opinions, he says, he had adopted and avowed "six years before his coming into England" (p. 45): while his friends and courtiers had diligently circulated the report, that, "albeit for his religion, he could be no other than as he had been brought up and instructed, yet was he averse from all severity of persecution against such as were of different religion, especially Catholic; granting it to be the ancient mother religion of all the rest, though in some things now amiss" (Gerard's MS. Account of the Plot, c. ii. 23).

2. His attachment to those, who had suffered in the cause of his mother, had been publicly recorded by himself, among his instructions to his son. In his "Basilikon Doron," a work addressed to the young prince, he had referred to the experience of his own life, had declared that the followers of his persecuted mother had ever been the most faithful of his own servants, and had consequently enjoined his son so to profit by the example, as to secure the attachment of those, who had proved their fidelity to his parents. "To this effect," says Gerard, "his majesty delivered his mind unto his son, and therewith great and comfortable hopes unto all Catholics, that they, who had been true lovers and followers of his mother, should find favour; and that such, as had either done or suffered greatly in her service, should find an answerable requital and advancement" (MS. c. ii. p. 22). Gerard afterwards adds that his own brother, Sir Thomas, "going to meet the king at his coming into England, his majesty told him before divers that 'he must love his blood, for that he and his had suffered persecution for him'" (Ibid. p. 27).

3. To these grounds of anticipation may be added the more direct assurances, given by James to various individuals. Such assurances, writes Gerard, "are said to have been sent by particular ambassages and letters from his majesty unto other princes, giving hope, at least, of toleration to Catholics in England; of which letters divers were translated this year into French, and came so into England" (Ib. 23). With the promises made to Watson, the reader who may have seen the account of a former conspiracy (that of Cobham and Raleigh), in the preceding part of this history, will have been already acquainted (Tierney's Dodd, iv. Appendix, p. xix). But, besides Watson, others also hastened, on the death of Elizabeth, to present themselves before their new sovereign; and each, in turn, received from him the assurance of his protection for the Catholic body. "At that time, and to those persons," says Gerard, "it is certain he did promise that Catholics should not only be quiet from any molestations, but should also enjoy such liberty, in their houses privately, as themselves would desire, and have both priests and sacraments, with full toleration and desired quiet" (MS. 23. See also Appendix, Part 2, No. II.). "When Percy," says the Earl of Northumberland, "came out of Scotland from the king (his lordship having written to the king, where his advice was, to give good hopes to the Catholics, that he might the more easily, without impediment, come to the crown) . . . , he said that the king's pleasure was, that his lordship should give the Catholics hopes that they should be well dealt withal, or to that effect" (Answer to interrogatories put to the Earl of Northumberland, Nov. 23, 1605. Orig. in the State Paper Office). It is true that James afterwards denied the truth of Percy's statement to the earl: but James was too much in the habit of denying what it was inconvenient to acknowledge; and, in the present instance, there is no reason to believe that he was more than usually honest.

4. The conversation with Sir Thomas Tresham, which is alluded to by Dodd, is recorded in "the Petition Apologetical of the Lay Catholics of England," and described by Bishop Challoner, in his "Missionary Priests" (ii. 1, 2), and by Mr. Jardine, in his narrative of the Gunpowder Plot (Crim. Trials, ii. 19). It was on

word; whether Cecil really spoke the king's pleasure, or only made use of that stratagem to exasperate the Catholics upon a disappointment, I leave to politicians to speculate upon the matter. But, let this be as you will, if King James was ever disposed to be a friend to the Catholic cause, he found it necessary to alter his measures; and though he endeavoured to cover himself, in the famous speech he made in parliament, soon after his accession to the crown, by making a distinction between persons and principles, and pretending to be a friend to one, but an enemy to the other, yet the discerning part of mankind cannot be imposed upon by such captious subtleties. An honest man will always act by principle: and if a person's principles are unsound, either we must suppose he will act according to his principles, or that he is entirely a man without any principles:—in both which cases his person ought to be as contemptible as his religion.

From this disappointment, either real or imaginary, a great discontent arose among several of the Catholic gentlemen, who, by degrees, talked themselves into a humour of giving some disturbance to the government, when a fit opportunity should offer itself: though, at the same time, they had nothing in view, to answer the project of a revolution; but, like persons intoxicated with strong liquor, seemed resolved to fall foul upon every one they met with.* In these dispositions, they waited for a

the fifth of April, 1603, that James set forth from his native country, to take possession of the English throne. By his new subjects he was received with every demonstration of attachment; by the Catholics, in particular, with congratulations on his accession, and assurances of their unbounded confidence in his goodness. To remind him, however, of his promises, they addressed to him a petition for toleration. They spoke of their sufferings in his cause: they alluded to their zeal in maintaining his title to the crown; and, while they asked only for "the free use of their religion in private houses," they offered to him, in return, "as loyal obedience, and as immaculate allegiance, as ever did faithful subjects, in England or Scotland, to his highness' progenitors" (See Appendix, Part 2, No. III.). The answer to this address seems to have been returned in the following July. In that month, Tresham, with a large body of distinguished Catholics, was summoned by the royal command to Hampton Court. The parties were received by the lords of the council with every mark of respect. They had been sent for, it was said, to be made acquainted with the royal purpose. It was the king's intention "henceforth to exonerate" the English Catholics from the fine of £20 a month, imposed, by the statute of Elizabeth, as the penalty of recusancy; and it was further resolved that "they should enjoy this grace and relaxation, so long as they kept themselves upright in all civil and true carriage towards his majesty and the state, without contempt." Tresham and his friends objected, that "recusancy alone might be held for an act of contempt:" but the lords hastened to remove their apprehensions on this head, and, assuring them "that his majesty would not account recusancy for contempt," desired them to communicate the "king's gracious intentions to their brethren" (cap. 1).—Yet, only seven months later, James could descend to vindicate himself from the charge of having promised a toleration, and could solemnly assure his council, "that he never had any such intention!" Winwood, ii. 49.—*T.*]

* [It is only just, however, to remark that the disappointment, here alluded to by Dodd, was embittered by the anticipation, almost by the certainty, of new and encreased severities. Whatever were the private feelings of James, his advisers were too sanguinary to spare, his own resolution too weak to protect, the Catholics.

time that would give vent to those floods of resentment, confined for a long time within their breasts, and which broke out upon

Before a month had elapsed from the period of his arrival in London, his expressions and his conversation had already begun to spread alarm among the body. Each day brought fresh intelligence of his hostile resolutions. Beaumont, the French ambassador, heard him denounce the pope as "the true antichrist" (apud Jard. ii. 21): Watson had been insultingly told by him that the papists were no longer necessary to his advancement (Tierney's Dodd, iv. Append. p. i.): whilst Coke, the attorney-general, publicly declared, on his authority, that "the eyes of the Catholics should sooner fall out, than they should ever see a toleration" (Howell, ii. 5). The reader will perhaps recollect the bitter denunciations, described in a letter to the Bishop of Norwich (Ibid. page 21, note, and Ellis, 2nd Series, iii. 215-218). Those denunciations were uttered by James in a council held on Sunday, the nineteenth of February, 1604. On the following Thursday, he sent for the recorder, and, having denied his intention of granting a permanent toleration, ordered him to inform the citizens that, at his accession, he had been induced to mitigate the fines of the recusant Catholics; that, as "not one of them had lifted up his hand against him, at his coming in," he had given them "a year of probation to conform themselves;" but that, "seeing it had not wrought that effect, he had now fortified all the laws that were against them, and commanded they should be put in execution to the uttermost" (Winwood, ii. 49). In accordance with this proceeding, a proclamation (see Appendix, Part 2, No. IV.) enjoining the banishment of the Catholic missionaries, was immediately published. At the same time, the gentlemen of the several counties, assembled in the Star-chamber, were admonished by the chancellor to be vigilant in the pursuit of all recusants: the judges were urged to proceed with encreased severity against them; and the bishops were charged to exert their authority in their respective dioceses, and to give effect to his majesty's determination. Orders were then issued for enforcing the statutes of recusancy. The usual fine of twenty pounds for every lunar month was again demanded; and, as if to show that the leniency of the past was intended only to encrease the severity of the present, the demand was extended to the whole period since the arrival of James, during which the penalties had, in a great measure, ceased to be exacted. By this means, numerous families of moderate incomes were suddenly reduced to a state of beggary: others, with larger property, found themselves involved in difficulties scarcely preferable to ruin; whilst, in most instances, all the goods and two-thirds of the real estate of the unfortunate sufferers were surrendered, under the statute of Elizabeth, for the purpose of satisfying this iniquitous claim (Gerard's MS. 34, 35). Nor were insult and indignity wanting to complete the outrage of this proceeding. Before the arrival of James, a suggestion had been hazarded, that the dream of Pharaoh was about to be realized, and that the riches of the land would be devoured by the hungry dependants of the new monarch. It was ordained that the prediction should be verified. Those dependants came, men needy in their fortunes, prodigal in their habits, and importunate in their demands. To satisfy their wants, various expedients were adopted: but their extravagance generally kept pace with the liberality of their master; and their clamours seldom failed to grow loud, as his means of supply became diminished. At length a new method of providing for their necessities was devised. Each person was ordered to search out as many Catholics as possible, and to select from the more opulent those who were most likely to answer his purpose. The king, in his bounty, then "bestowed" these persons upon him. He made over to him whatever claims the crown possessed, or might afterwards possess, on them for the fines of recusancy; and authorized him either to proceed at law for the recovery of the penalties, or to accept a grant of money, by way of composition for the amount (See Appendix, Part 2, No. V.). Alluding to the feelings produced by the merciless exactions of these adventurers, the French ambassador says that the Catholics were "driven to despair" (apud Jard. ii. 23): Gerard tells us that it was "both grievous and odious, that true and free-born subjects should be given, as it were, in prey to others;" and he adds that, as "the sequel of this matter appertaineth to many, the exasperation also rising thereof must needs be very general" (MS. 35, 36).

In the mean time, the legislature was preparing to lend its sanction to the violence of these proceedings. On the twenty-fourth of April, a bill, classing

the discovery of the gunpowder plot, the contrivance of half a dozen persons of desperate fortunes, who, by that means, brought

Catholics with forgers, perjurers, and outlaws, and disabling them from sitting in parliament, was introduced in the lower house. On the twenty-sixth, it was read a second time and committed; but, two days later, it was superseded by a more general measure, and, before the end of the session, another statute was added to the penal enactments already in existence (Journals, of Commons, i. 183, 185; of Lords, ii. 328, 341). It was entitled "An Act for the due execution of the statutes against Jesuits, seminary priests, and recusants." Having ordered the laws, framed during the late reign, to be rigidly enforced, it proceeded to strengthen their provisions with clauses of additional severity. All persons already studying or residing in any college or seminary beyond the sea, and not returning and conforming within one year from the termination of the present session of parliament; all persons repairing, in future, to any place of education abroad, or resorting to any house out of the king's dominions, for the purpose of being instructed in the popish religion, were alike rendered incapable of inheriting, or purchasing, or enjoying any lands, annuities, chattels, legacies, or sums of money within the realm: all owners and masters of vessels presuming to convey any female or minor out of the country without license, were ordered to be punished, the owners with the loss of their vessels, the masters with the forfeiture of their goods, and imprisonment for twelve months: and, lest the education, which was thus forbidden to the sufferers abroad, should be supplied to them at home, a further clause was added, providing that, if any person, not specially licensed by the ordinary, should venture to act as tutor in the house of a recusant, both himself and his employer should be amerced in the sum of forty shillings, for every day during which he so continued to offend (See Appendix, Part 2, No. VI.). On the third reading of this bill in the House of Lords, the Viscount Montague rose in his place, and, in a speech of considerable force, boldly denounced the principle of the measure. Let them, he said, contrast the novelty of their own creed with the antiquity of that which they were endeavouring to suppress: let them reflect on the evil life and unsound opinions of those, by whom they had been seduced from the religion of their fathers; and then let them, by arresting the progress of the present bill, manifest that favourable consideration for the recusants, to which their principles and their conduct so justly entitled them. On the following day, Montague, for his "scandalous and offensive speech," was committed to the Fleet (Lords' Journ. ii. 328, 329).

On the seventh of July, 1604, the parliament was prorogued: in August, the treaty of peace with Spain was ratified; and James, who to the solicitations of the Spanish commissioner, in behalf of the Catholics, had returned a peremptory refusal, proceeded at once to let loose the whole fury of the persecution (Gerard's MS. 62; Eudæmon Joannes, 238; Lingard, ix. 37). It was in vain that the Catholics had addressed him in a petition, recounting their services both to himself and to his mother, and reminding him of the assurances which he had given to them of toleration and protection. It was in vain that they had appealed to the general loyalty of their character, to their patience under the persecutions of the last reign, and to the patriotism with which, on the appearance of the armada, they had offered to fight "in the foremost ranks of the battle," against the invaders of their country (Petition Apologetical, presented to the king by the Lay Catholics of England, in July, 1604: it is analyzed by Mr. Butler, Mem. of Eng. Cath. ii. 84-87, third edition). Both this and another petition, renouncing all temporal authority but that of the king, and offering to gage "life for life" for the fidelity of their clergy, were treated with disregard (See Appendix, Part 2, No. VII.). On the fourteenth of August, a new proclamation was published, admonishing the judges and magistrates to be rigorous in enforcing the penal laws (More, 306, 307). A few weeks later, a commission was appointed for the banishment of the Catholic missionaries (see Appendix, Part 2, No. VIII.); while a canon, framed by the convocation which had just separated, commanded every officiating clergyman, under pain of suspension, to make a return of the names of all recusants above the age of thirteen years, residing within his parish (Canon cxiv. It will be found in the Appendix, Part 2, No. IX.). Courts were then ordered to be held every six weeks, to receive informations, and to pronounce on the guilt of the accused. The usual

an odium upon the body of Catholics, who have ever since laboured under the weight of the calumny, though no ways concerned.

fines were levied with redoubled rigour. The rich were impoverished, the poor were imprisoned, the middle classes saw their goods sold, their leases seized, their cattle driven away (Gerard's MS. 35, 62, 63); while the clergy, and those who ventured to relieve them, again abandoned to the mercy of the pursuivants, were again doomed to witness the revival of all the sanguinary horrors of the preceding reign. So early as July the sixteenth, only nine days after the rising of parliament, Sugar, a priest, and Grissold, a layman, the former for his clerical character, the latter for "accompanying and assisting" him, were executed at Warwick (Challoner, ii. 4-12). In September, another layman named Bailey, for an offence similar to that of Grissold, shared the same fate at Lancaster (ibid. 12): twenty-one priests and three laics were taken from different prisons, and shipped off into perpetual banishment (see their letter to the lords of the council, in the Appendix, Part 2, No. X.); and if Pound, an aged gentleman, who ventured to complain to the king of an illegal judgment passed upon a Catholic neighbour, escaped with his life, it was only to receive a sentence of cruelty and ignominy, disgraceful alike to the government and to the age. "This last Star-chamber day," says More, writing to Winwood on the second of December, "was determined the case of one Pound, a gentleman who accused Serjeant Philips of injustice, for *condemning to death a neighbour of his, only for entertaining a Jesuit.* The Lords, by their sentence, declared the condemnation to be lawful, condemned Pound to lose one of his ears here in London, and the other in the country where he dwelleth, to fine £1,000, and to endure perpetual imprisonment, if he impeach not those that advised him to commence his suit; and, if he would confess, this sentence should be revoked, and their lordships would otherwise determine, according to reason" (Winwood, ii. 36). Intercession, however, was afterwards made for the unfortunate offender. The imprisonment was remitted; and, instead of losing his ears, he was ordered to stand in the pillory, one day at Lancaster, and another in Westminster (Eudæmon Joannes, 238; Rushton Papers, apud Jardine, ii. 38).

Thus closed the year 1604 upon the professors of the ancient creed. It was in February, "about the beginning of Lent" (Winter's Confession, in Gunpowder Treason, 47), that Catesby, stung with disappointment, and enraged at the denunciations put forth by James against the Catholics, had conceived the atrocious design, which forms the subject of the present article. In the proceedings which I have described, there was little to mitigate his resentment, or to remove the deadly purpose of his mind: in those which followed, there was everything to inflame his passions, to stimulate his revenge, and to blind him with the assurance that, when the great blow should have been struck, he should at once command the applause and the assistance of those, whose sufferings it was his object to relieve. The new year, in fact, opened with all the saddening gloom and stormy indications, that had marked the close of its predecessor. In a letter written on the twentieth of February, 1605, Sir Dudley Carleton says, "The sword now begins to cut on the other edge, and to fall heavily on the papists' side, *whereof there were twenty-eight indicted at the last sessions at Newgate*" (Winwood, ii. 48. See Appendix, Part 2, No. XI.). In the following month, Bancroft, who had lately been translated from London to the archiepiscopal chair, addressed his suffragans in a long and earnest admonition, complaining of their remissness in prosecuting the Catholic missionaries, and prescribing, at the suggestion of the chancellor, a new method of proceeding against the obstinacy of the lay recusants. Without waiting for the returns, to be made by the clergy in conformity with the canon already mentioned, they were themselves to ascertain the names and characters of the principal Catholics in their respective dioceses, and, having selected from amongst these a certain number of the more opulent and zealous, were to proceed, in the first instance, to invite them to conform. If the invitation were rejected, they were at once to excommunicate the offenders: at the end of forty days, they were to certify their names into the chancery; and then, in conjunction with the metropolitan, they were to sue out a writ *de excommunicato capiendo*, a measure which, operating like a sentence of outlawry, subjected the sufferers to forfeiture and imprisonment, placed them out of the king's protection, and rendered them incapable of recovering debts or rents, of

Now, as for the particulars of this horrid design, I find them thus recorded by our historians. They tell us, Mr. Catesby was the first contriver of the plot for blowing up the parliament house; which, for a considerable time, he kept to himself, till he could meet with associates as desperate as himself, to engage in it.*

At length (Feb. 1604) he found those that were fit for his purpose, viz. Thomas Percy, Guy Faukes, Thomas Winter, Robert Keyes, and Thomas Bates. To these he communicated his design; who approved of it, and, as it is said, mutually joined in an oath of secrecy.† Now, the manner of carrying on the

suing for damages, of effecting sales or purchases, or of conveying their property either by will or otherwise (Gerard's MS. 43. See Appendix, Part 2, No. XII.). Nor was this all. As if the execution of the laws were still uncertain, the judges, before their departure for the circuits, were again assembled by the king: again they were "charged to be diligent and severe against recusants;" and again the scaffolds flowed with the blood of victims, whose only crime was that of having exhorted their neighbours to embrace the faith of their ancestors (Winwood, ii. 77; Gerard's MS. 44, 45; Challoner, ii. 12, 13). In the mean time, the fines of recusancy continued to be levied with increasing rigour: indictment succeeded to indictment, and forfeiture to forfeiture: nocturnal searches for priests were again resumed, with all their train of outrages and insults described in the preceding volume (Tierney's Dodd, iii. 103, 119, &c.): while the denunciations of the chancellor in the Star-chamber (June 20), and of the primate at Paul's Cross (Aug. 5), confirmed the rumour of still severer measures, to be adopted in the ensuing parliament, and filled the minds of the Catholics with indignation and dismay (Winwood, ii. 95; Gerard's MS. 44, 45; Late Commotion of certain Papists in Herefordshire. See also Appendix, Part 2, No. XIII.). Such was the state of this persecuted body, during the two years immediately preceding the discovery of Catesby's treason. Is it surprising that such sufferings should have goaded men to desperation? or that, deceived, oppressed, and proscribed in their own land, some reckless enthusiasts should have been found to join in any scheme, however wicked, that promised to work vengeance and relief together?—*T.*]

* [Catesby, however, appears to have borrowed his idea of the plot from other similar schemes of vengeance which had preceded it. "There be recounted in histories," says Persons, "many attempts of the same kind, and some also by Protestants, in our days;—as that of them, who in Antwerp placed a whole bark of powder in the vaulted great street of that city, where the Prince of Parma, with his nobility, was to pass; and that of him in Hague, that would have blown up the whole council of Holland, upon private revenge; as also that of Edinburgh in Scotland, where the like train of powder was laid for the cruel murder of his majesty's father" (Discussion of Barlowe's Answer, 14, 15). Speaking of the last of these instances, and comparing it with Catesby's treason, Whitaker says, "the Scotch was plainly the parent, and the English the child. 'Improbus ille puer, crudelis tu quoque mater.'" Vindication, iii. 299.—*T.*]

† Keyes was not associated to the conspirators until August, Bates until December following (Examination of Keyes, Nov. 30; of Bates, Dec. 4, 1605, in the State Paper Office; Winter's Confession, in Gunpowder Treason, 52). The first two persons to whom Catesby revealed his design, were John Wright and Thomas Winter. It was about the end of February, 1604, that the latter, at the earnest and repeated solicitation of Catesby, came up to London from Huddington, the seat of his brother, in Worcestershire, where he had been staying for some months. On his arrival, he found Catesby and Wright together at Lambeth. Catesby at once opened his mind to him, informed him of the scheme which he had devised for "delivering the Catholics from their bonds," and concluded by asking "if he would give his consent." For a moment, Winter hesitated: presently, he yielded to the urgency of his friend; but, as a last effort to obtain relief without

contrivance was this: Percy, being well acquainted at court, where he enjoyed a place, and upon this account was less suspected, hired lodgings (May 24) near the parliament house, whereby the conspirators had the convenience of digging for a subterraneous passage. They laboured at this work for some months, till, meeting with a very thick wall, which had a deep foundation, the work became tedious, and obliged them to desist. Meanwhile (Mar. 25, 1605), Mr. Percy informed himself of a cellar directly under the parliament house, which he immediately hired, as he gave out, in order to fill it with fuel for a winter's provision. The care thereof was committed to Guy Faukes, who

resorting to violence, undertook, in the first instance, to proceed to Flanders, and there solicit the mediation of the Spanish envoy, who was about to negotiate a peace with the British crown. Unfortunately, the mission failed; and Winter, in company with Guy Faukes, whom he met at Ostend, returned, about the middle of April, to England. Before the end of the month, Percy arrived in London, and was introduced to the others, at Catesby's lodgings at Lambeth. Catesby briefly explained to him that something was in agitation for the relief of the Catholics; but he spoke only in general terms, and proposed that, before the particulars were disclosed, all should be sworn to keep secret the designs of the conspirators. Accordingly, a few days later, Catesby, Thomas Winter, John Wright, Faukes, and Percy, assembled at a house in the fields, in the neighbourhood of St. Clement's: an oath was drawn up and taken; and each party swore, "by the Blessed Trinity and by the oath (*host?*) which they purposed to receive," neither to reveal what was about to be disclosed to them, nor to abandon the design without the consent of their companions. In confirmation of their oath, they then proceeded to receive the sacrament; and Catesby immediately disclosed to Percy, Winter and John Wright to Faukes, the nature of the plot (Winter's Confession, in Gunpowder Treason, 46-51).

The person, at whose hands they received the sacrament, was father Gerard, a Jesuit, who, in consequence of the part which he performed on this occasion, was afterwards charged by the government with having assisted in the contrivance of the plot. The evidence, however, of the very parties, Winter and Faukes, by whom the fact itself was revealed, distinctly acquits him of all knowledge of the oath, and of all acquaintance with the intentions of the parties to whom he administered the communion. Winter says,—"There we met, behind St. Clement's, Mr. Catesby, Mr. Percy, Mr. Wright, Mr. Guy Faukes, and myself; and having, upon a primer, given each other the oath of secrecy, in a chamber *where no other body was*, we went after into the next room, and heard mass, and received the blessed sacrament upon the same" (Winter's Confession, 51). Faukes speaks even more plainly: —"They five" (the parties named by Winter) "did meet at a house in the fields behind St. Clement's Inn, where they did confer and agree upon the plot they meant to undertake and put in execution; and there they took a solemn oath and vow by all their force and power to execute the same, and of secrecy not to reveal any of their fellows, but to such as should be thought fit persons to enter into that action: and, in the same house, they did receive the sacrament of Gerard, the Jesuit, to perform their vow and [oath] of secrecy as aforesaid; *but he saith that Gerard was not acquainted with their purpose.*" (See the Examination of Faukes, Nov. 9, 1605, in the State Paper Office.) This examination Coke professed to read at the trial of the conspirators: but he thought it advisable to omit the part which I have printed in italics, and, accordingly, we find, in the original, that the passage is scored with red ink, and that before it, in the margin, are written, in his own hand, the words *"huc usque,"—thus far.* It is not improbable that the scene of the transaction was one of the houses to which the Catholics were in the habit of resorting for religious purposes; that the conspirators knew that Gerard was about to celebrate mass there; and that, with this knowledge, they availed themselves of the place and the occasion to complete and ratify their plans.—To show, however, how very little reliance can be placed on the asseverations of Gerard, when employed in his own

took the name of John Johnson, and passed for Mr. Percy's servant.*

Hitherto the contrivance was kept a secret among the persons above mentioned.† Yet they had scattered a report privately,

vindication, it is only right to observe that, referring to this transaction in his manuscript narrative, he first boldly, and very properly, asserts, on the authority of Winter's confession, that the priest, who administered the sacrament, was not privy to the designs of the conspirators; and then, ignorant of Faukes's declaration, which had not been published, and supposing that his own name had not transpired, as that of the clergyman who officiated on the occasion, he recurs at once to the artifice, which I have elsewhere noticed (Tierney's Dodd, iv. Appendix, p. lii. note), of substituting a third person as the narrator, and solemnly protests, on his salvation, that he knows not the priest from whom Catesby and his associates received the communion!—"*Yet who that priest was I have heard father Gerard protest, upon his soul and salvation, that he doth not know.*" MS. c. xii. p. 192. See also Eudæmon Joannes, 284.—*T.*]

* The "lodgings," mentioned in this passage, were a house immediately adjoining the parliament house, and held by a person named Ferris, as tenant to Wyniard, the keeper of the royal wardrobe. The original deed of agreement between Percy and Ferris, which is still preserved in the State Paper Office, is dated May 24, 1604; but it does not appear that the mine had been commenced when the parliament was prorogued in July. The announcement of that event was followed by the separation of the conspirators, who, as seven months were to elapse before the houses would again assemble, retired to their respective homes in the country, with an agreement to return to London at the beginning of November. When that period arrived, it was found that the commissioners for a proposed union between England and Scotland were about to hold their meetings in the house taken by Percy. For a month, Catesby and his companions were kept out of the premises by this circumstance; and hence it was not until the eleventh of December that they were ready to commence their operations. At length, however, the mine was opened; the rubbish, removed during the day, was concealed at night under the soil of the garden; and, by Christmas, a passage had been securely made, up to the wall of the parliament house. In the mean time, Faukes had been appointed to keep watch without, while his associates laboured within. He now announced that the parliament, which was to have assembled on the seventh of February, was further prorogued to the third of October; and the conspirators, availing themselves of the opportunity afforded to them by this prolonged interval, immediately separated, to spend the holidays with their respective families. At the end of January, their labours were resumed: but, first, the influx of water, afterwards the solidity of the foundation, which was three yards thick, retarded their progress; and, when Easter arrived, the task of perforating the wall was still incomplete. At this moment an accidental noise, almost immediately over their heads, first acquainted them with the existence of the cellar mentioned by Dodd. On enquiry, they found that the latter was situated exactly under the House of Lords, and that, in the course of a few days, it would be vacated by its present tenant, a person named Bright, who was already removing. This intelligence seemed to promise the accomplishment of all their wishes. The original plan of proceeding was now laid aside: the operations in the mine were abandoned; and Faukes, in the name of his supposed master, Percy, immediately proceeded to hire the cellar. Winter's Confession, 51-55; Gerard's MS. 63, 64, 71, 72.—*T.*]

† [This is incorrect, whether as regards Dodd's own inaccurate enumeration of the original conspirators, or the real list which I have supplied in a preceding note. I have already remarked, that to the five persons present when Gerard administered the sacrament, Keyes and Bates were afterwards added, the former in August, the latter in December, 1604. At Christmas, the operations in the mine were suspended: but, before the party separated, it was determined that Catesby and Percy, to enable them to meet the expenses attendant on the prosecution of their design, should be authorized, with consent of any third member of the company, to impart the secret to such persons as might be willing to further the undertaking. In consequence of this, Robert, the brother of Thomas Winter, and John Grant, of Nor-

among several Catholics, that something was in agitation in their favour; and people of that communion began to entertain

brook near Warwick, were, in January, 1605, requested to meet Catesby at the Catherine Wheel, in Oxford. Here the oath of secrecy was administered to them: the particulars of the plot were disclosed; and they were formally admitted into the number of the confederates (Examinations of Robert and Thomas Winter, Jan. 17, 1606, in the State Paper Office). In the following month, Christopher, the brother of John Wright, was, in a similar manner, associated to the conspirators. Having taken the oath and received the sacrament, he was made acquainted with the plans of the party, and was immediately summoned to lend his aid in advancing the operations in the mine (Winter's Confession, 55; Gerard's MS. 71, 72).

It is not to be imagined that these accessions to their numbers were made without difficulty, or that the consciences even of the original conspirators were entirely satisfied as to the lawfulness of the enterprise in which they were engaged. For some time, indeed, the scruples of his associates had been a constant source of anxiety and alarm to Catesby. It was in vain that he had endeavoured to satisfy their doubts, by references to their own sufferings, and appeals to the duty of resistance. Still, their misgivings continued. The vengeance, which they were about to perpetrate, would involve their friends as well as their enemies, the innocent no less than the guilty. They could not persuade themselves that they were allowed to embrue their hands in indiscriminate slaughter: and, when at length they separated, at Christmas, it was with the understanding that, without revealing the existence of the plot, each should avail himself of the opportunity afforded by the recess, to seek the opinion of his spiritual director. Of the consultations which ensued, Catesby's alone has been preserved. That conspirator hastened to present himself to Garnet: he engaged the Jesuit in conversation; and, having drawn from him an opinion on a supposed, but not analogous, case, he proceeded at once to reassure his companions with a report of the conversation that had passed. From this moment, their doubts appear to have vanished. Each new associate was told of the necessity of some vigorous effort; and each was taught to believe that the design had been formally approved.—I will subjoin Gerard's account of Catesby's conversation with Garnet. Having mentioned the separation of the conspirators, at Christmas, he thus proceeds:—

"Then the chiefest of them took the present commodity offered, by meeting with learned priests, that holy time, and meant to inform themselves of such doubts as were risen, concerning the lawfulness of the business they had in hand: and, having a great opinion of the learning and virtue of the fathers of the society, Mr. Catesby desired to get, by cunning means, the judgment of their superior, so as he should never perceive to what end the question were asked. Therefore coming to father Garnet, after much ordinary talk, and some time past over after his arrival, one time he took occasion, upon some speech proposed about the wars in the Low Countries, or such like, to ask how far it might be lawful for the party, that hath the just quarrel, to proceed in sacking or destroying a town of the enemy's, or fortress, when it is holden against them by strong hands. The father answered, that, in a just war, it was lawful, for those that had right to wage battle against the enemies of their commonwealth, to authorize their captains or soldiers, as their officers, to annoy or destroy any town that is unjustly holden against them; and that such is the common doctrine of all divines; in respect that every commonwealth must, by the law of nature, be sufficient for itself, and, therefore, as well able to repel injuries, as to provide necessaries. . . . Unto which Mr. Catesby answering that all this seemed to be plain in common reason, and the same also practised by all well-governed commonwealths that ever have been, were they never so pious or devout: 'But,' said he, 'some put the greatest difficulty in the sackage of towns, and overthrowing and drowning of forts (which in the Low Countries, and in all wars, is endeavoured, when the fort cannot be otherwise surprised, and the same of great importance to be taken): how then may those, who have right to make the war, justify that destruction of the town or fort, wherein there be many innocents and young children, and some, perhaps, unchristened, which must needs perish withal?' Unto this the father answered that, indeed, therein was the greatest difficulty, and that it was a thing could never be lawful in itself, to kill an innocent; for that the reason ceaseth in them, for which the pain of death may be inflicted by

thoughts, that, in a little time, they should be made easy; though they neither knew when, nor by what means, it was to be effected. It appeared, indeed, afterwards, that some few were let further into the secret (though never acquainted with the blackest part of the design), and had received private orders from Percy, to be up in arms the sixth of November, 1605, which was the day after the plot was discovered. The only persons, to whom these orders were directed, were Sir Everard Digby, Mr. Francis Tresham, Mr. John Grant, Mr. Ambrose Rookwood, Mr. Robert Winter, two Mr. Wrights, John and Christopher.* About ten days

authority. 'But,' said Mr. Catesby, 'that is done ordinarily in the destruction of those forts I speak of.' 'It is true,' said the father; 'it is there permitted, because it cannot be avoided, but is done as *per accidens*, and not as a thing intended by or for itself; and so it is not unlawful. As if we were shot into the arm with a poisoned bullet, so that we could not escape with life, unless we cut off our arm, then, *per accidens*, we cut off our hand and fingers also, which were sound, and yet, being, at that time of danger, inseparably joined to the arm, lawful to be cut off. And such was the case of the town of Gabaa, and the other towns of the tribe of Benjamin, wherein many were destroyed that had not offended.' With which Mr. Catesby, seeming fully satisfied, brake presently into other talk; the father, at that time, little imagining whereat he aimed; though afterwards, when the matter was known, he told some friends what had passed between Mr. Catesby and him, about this matter, and that he little suspected then he would so have applied the general doctrine of divines to the practice of a private and so perilous a case, without expressing all the particulars. Now Mr. Catesby, having found as much as he thought needful for his purpose, related the same unto the rest of the conspirators; and all were animated in their proceedings, without any further scruple, for a long time; but applied all, by their own divinity, unto their own case." Gerard's MS. c. v. 65-69.—*T.*]

* [That the parties here mentioned were "never acquainted with the blackest part of the design," is contrary to the fact. Of Grant, Winter, and the Wrights, I have already spoken: of Digby, Tresham, and Rookwood, it may be confidently said that all the evidence, as well as their own acknowledgments, equally prove them to have been privy to the whole of the plot. Thus Tresham, in his voluntary declaration, dated on the thirteenth of November, 1605, confesses "that he was informed of the plot by Catesby, about the fourteenth of October" (Orig. in the State Paper Office). Rookwood, in his examination taken on the second of December, says more fully,—"Catesby, at this examinate's lodging, at the sign of the Duck, in St. Clement's parish, about ten weeks past, told this examinate, for the ancient love that he had borne unto him, that he would impart some matter of importance unto him: but first, in the presence of Catesby, Thomas Winter, and John Wright, Thomas Winter ministered an oath of secrecy unto him upon a primer. And then Catesby, in the presence and hearing of Winter and Wright, imparted unto him the plot of blowing up of the king and the parliament house with powder" (Orig. in the State Paper Office). Digby, in his examination of the twentieth of November, 1605, dates the period of his connexion with the conspirators at the preceding Michaelmas (State Paper Office); and, in one of his letters to his wife, mentions several particulars, which not only describe the plans of the associates, but also demonstrate his own acquaintance with the details of the plot. "The [sorrow?] I take," he says, "at the uncharitable taking of these matters, will make me say more than ever I thought to have done. For, if this design had taken place, there could have been no doubt of other success; for, that night, before any other could have brought the news, we should have known it by Mr. Catesby, who should have proclaimed the heir-apparent at Charing Cross, as he came out of town; to which purpose there was a proclamation drawn. If the duke had not been in the house, then was there a certain way laid for the possessing him; but, in regard of the assurance they (*he*) should have been there, therefore the greatest of our business stood in the possessing the Lady Elizabeth, who lying within eight miles of Dun-

(Oct. 26) before the parliament was to meet, which was on the fifth of November,* a letter from an unknown hand was delivered to Lord Mounteagle, a Catholic, admonishing him to be absent from parliament on the day of their first meeting; for that a sudden judgment would fall upon the nation by an invisible hand, or to that purpose.† The confusedness of style, with the ambiguity of the expressions, both startled and puzzled his lordship: wherefore, having made Secretary Cecil acquainted with it, and the letter being canvassed several days before the king and council, they at length found out the sense and true meaning of it, viz., that the suddenness of the stratagem spoke gunpowder; and by the *nation* must be understood the *parliament*.‡ Upon

church, we would easily have surprised [her], before the knowledge of any doubt. This was the cause of my being there. If she had been in Rutland, then Stokes was near; and, in either place, we had taken sufficient order to have possessed her. There was also courses taken for the satisfying the people, if the first had taken effect; as the speedy notice of liberty and freedom from all manner of slavery, as the ceasing of wardships and all monopolies, which with change would have been more plausible to the people, if the first had been, than it is now. There was also a course taken, to have given present notice to all princes, and to associate them with an oath, answerable to the League in France. I have not uttered any of these things, nor ever thought to do. For my going from Dunchurch" (he alludes to the flight from Dunchurch to Norbrook, and thence to Holbeach, as soon as the discovery of the plot was known) "I had this reason:—first, I knew that Faukes could reveal me; for I must make choice of two besides Mr. Catesby, which I did of him and Mr. Winter,—I knew he had been employed in great matters, and, till torture, sure he carried it very well: secondly, we all thought, if we could procure Mr. Talbot to rise, that party at least to a composition that was not little; because we had in our company his son-in-law" (Robert Winter), "who gave us some hope of, and did not much doubt, it. I do answer your speech with Mr. Brown thus:—Before that I knew anything of this plot, I did ask Mr. Farmer (Garnet) what the meaning of the pope's breve was. He told me that they were not (meaning priests) to undertake or procure stirs; but yet they would not hinder any (neither was it the pope's mind they should) that should be undertaken for Catholic good. I did never utter thus much, nor would not but to you; and this answer, with Mr. Catesby's proceeding with him and me, gave me absolute belief that the matter in general was approved, though every particular was not known. I dare not take that course that I could, to make it appear less odious; for divers were to have been brought out of the danger, which now would rather hurt them than otherwise. I do not think there would have been three worth saving, that should have been lost. You may guess that I had some friends that were in danger, which I had prevented; but they shall never know it." Apud Gunpowder Treason, 249-251.—*T.*]

* [It had been again prorogued from the third of October to this day.—*T.*]

† [The letter, which is still preserved in the State Paper Office, reached Mounteagle, whilst he was at supper, not in his usual residence in town, but in a house which he seldom occupied at Hoxton. It was delivered to him by one of his pages, who had himself received it from a stranger in the street, whose features he was unable to distinguish in the dark. Mounteagle opened it: but, finding that it bore neither date nor signature, he immediately handed it to one of his gentlemen attendants, named Thomas Ward, and desired him to read it.—*T.*] (A copy of it has already been given in this publication, p. 20, *ante.—Editor.*)

‡ From a reference to the letter, the reader will have seen that the word "*nation*," which Dodd represents the council as translating "*parliament*," never once occurs in it. James was at Royston, when that document was placed by Mounteagle in the hands of the secretary. By the latter it was shown to some other members of the council: but it was unanimously resolved that no steps should be taken

this surmise, Sir Thomas Knevet, by order of council, was deputed to make strict search, in all the places and apartments

until the king had been consulted; and, in the meantime, it was thought, an opportunity "would be given for the practice to ripen." At length (October 31), James returned; and the next day the letter was laid before him. As soon as he had perused it, he pronounced that its warning "was not to be contemned." The Earl of Salisbury, however, pointed to the words, "*the danger is past as soon as you have burnt the letter*," and marked them as "the saying of a fool:" but the king, on the contrary, so he assures us himself, "considering the former sentence in the letter, that 'they should receive a terrible blow this parliament, and yet should not see who hurt them,' joining them to the sentence immediately following, already alleged, did thereupon conjecture that the danger mentioned should be some sudden danger, by blowing up of powder: whereupon he was moved to interpret and construe the latter sentence in the letter, alleged by the Earl of Salisbury, against all ordinary sense and construction in grammar, as if by these words, '*for the danger is past*,' &c., should be closely understood the suddenty and quickness of the danger, which should be as quickly performed and at an end, as that paper should be of blazing up in the fire; turning that word of, '*as soon*,' to the sense of, '*as quickly*:'—and therefore wished that, before his going to the parliament, the under rooms of the parliament house might be well and narrowly searched" (James's Works, apud Howell, ii. 195-198).

From this account, which was written by James himself, it would appear as if the monarch had been the first to detect the hidden meaning of the letter to Mounteagle. In his speech to parliament, indeed, on the ninth of November, he again asserted his claim to the merit of the discovery (Lords' Journals, ii. 358): Coke, at the trial of the conspirators, declared that "the king had been divinely illuminated" on the occasion (True Relation of the Proceedings against the late conspirators, 70); and the parliament afterwards, borrowing one of his own phrases, more solemnly asserted that the revelation had proceeded from the "miraculous" interposition of "a divine spirit" communicated to him by God (Stat. 3 Jac. I. c. 1). Still, the contrary is undoubtedly the fact. "I imparted the letter," says Salisbury, "to the Earl of Suffolk, lord chamberlain, to the end I might receive his opinion: whereupon perusing the words of the letter, and observing the writing (that the blow should come without knowledge who hurt them), *we both conceived* that *it could not be more proper than the time of parliament, nor by any other way like to be attempted than with powder, whilst the king was sitting in that assembly*; of which the lord chamberlain conceived more probability, because there was a great vault under the said chamber. . . . In which consideration, after we had imparted the same to the lord admiral, the Earl of Worcester, the Earl of Northampton, and some others, we all thought fit to forbear to impart it to the king, until some three or four days before the sessions: at which time we showed his majesty the letter, rather as a thing we would not conceal, because it was of such a nature, than anything persuading him to give further credit to it, until the place had been visited" (Letter from the Earl of Salisbury to Sir Charles Cornwallis, in Winwood, ii. 171). I will subjoin Gerard's remarks on this part of the subject:—"There want not many of great judgment," says he, "that think his majesty and divers of those counsellors also, who had the scanning of the letter, to be well able, in shorter time, and with fewer doubts, to decipher a darker riddle, and find out a greater secret, than that matter was, after so plain a letter was delivered, importing in so plain terms an intended punishment both by God and man, and so terrible a blow to be given at that very time, and yet the actors invisible. And those that be of this opinion do persuade themselves the matter came out by some other means, and that this letter was but framed and sent, of purpose to give another show of casual discovery, both to hide the true means, and to make the especial preservation of the king and state to be better discerned to come from God himself. Unto which opinion they were the rather inclined by the circumstances of the matter:—first, that the Lord Mounteagle did, that night wherein the letter was to be delivered, appoint a supper to be made for him at his own house, a mile or two out of London, where he had not supped or lain of a twelvemonth and more before that time; and therefore strange that party should seek him there:—Then the manner of delivery seemed strange, to be so weakly

near the parliament house: which he did, the day before the house was to meet; when he happened to spy out a person, standing at a cellar door, ready booted and spurred, who, upon examination, confessed he had a design to set fire to a train of gunpowder which was to blow up the parliament house: in confirmation whereof, upon a further scrutiny, thirty-six barrels of gunpowder were found in the cellar, concealed under billets and other fuel.*

handled by any that had judgment, as to be delivered to a page, and to be read by his lord in the time of supper, when he could not with safety have concealed the matter, if he would:—Again, it was so written as that my lord of Salisbury might well say it was like to be the writing of a fool or a madman; for no other, assuredly, would have committed so great a secret to ink and paper, in so plain a manner, and that so long before the time; especially there being many other means, likely enough to be effectual for the staying of my Lord Mounteagle from the Parliament, that one day, and that, without his danger of concealing any practice against the state: for . . many sudden occasions . . . would have been more likely to call him off, that very morning, than this letter, so delivered, to stay him ten days before.

"But although many were of opinion that this was not the first means of this discovery, yet none, that ever I could hear of, was able to give a certain judgment which way, indeed, it was discovered. It seems the gentlemen themselves did most fear Mr. Francis Tresham to be the man, that should send this letter unto the Lord Mounteagle, which lord had married Mr. Tresham's sister. But that was nothing likely; for he was very witty; and, surely, the sending of such a letter in such a manner was nothing wittingly contrived, if it were done bonâ fide. . . . No, Mr. Tresham had too much wit to deal so sillily in a thing of such importance. More did doubt want of fidelity, than of wit, in Mr. Tresham; and therefore it was rather supposed by most that doubted him to be the man, that he first opened the matter to the council, as thinking thereby to be raised to some place of credit, which then he might think himself, with wit and living, able to bear out with the best. This opinion was rather believed afterwards, when it was evident that none of the rest had done it, who were privy unto the matter; but every one of them either died in the field, because they would not be taken, or, being taken, were all executed, and so left not the least suspicion of having opened the matter: again, this opinion was increased, when, the matter being discovered, all the gentlemen fled into Warwickshire, and then, according to their former designments, rose in arms, thinking to have made a head. But Mr. Tresham stayed still in London, and never stirred foot, though as far in as the best: And, thirdly, the opinion was yet more confirmed, when afterwards Mr. Tresham was also taken and kept close prisoner, at which time the general bruit was, that he confessed all he knew: but none of his confessions were published, neither did himself ever come to light afterwards; but died in the Tower: so that it is not known what he had discovered, first or last, or what he would have confirmed or repented, if he had come unto his trial and execution as the rest did." (MS. c. vii. 100-102.)

To the presumptions, here mentioned against Tresham, may be added the facts stated in his own voluntary declaration, dated Nov. 13, that he had sought to dissuade Catesby from the enterprise; that, unable to accomplish this object, he had afterwards proposed to delay its execution till the close of the parliament; and, finally, that he had advanced money and hired a ship, in which, under pretext of encreasing their party abroad, but really with a view to break up the conspiracy, he had, he thought, persuaded Catesby and Winter to embark for Flanders. "After this time," says he, "I never heard more of them, until the news ran over the town upon Tuesday, when, upon the salvation of my soul, I did think they had been beyond sea, and listened after their safe arrival, intending then to have taken a course to have given the state advertisement thereof, by some unknown means. This was the only way I could resolve on, to overthrow the action, to save their lives, and to preserve my own fortunes, life, and reputation." Original, in the State Paper Office.—*T.*]

* [As an illustration of this part of Dodd's narrative, I will subjoin another pas-

While the king and council were busied in finding out the contents of the letter, those that were associates in the conspiracy (as far as rising up in arms) left the town, in order to rendezvous on Dunchurch Heath, on the fifth; and among them Mr. Catesby. It was given out in the country, that this meeting was only upon account of a hunting match; and, by their number, it appeared no otherwise: for they made not up above eighty persons, including servants, and neighbours who came in upon their diversion. However, the country being alarmed upon the discovery of the plot, the conspirators seized all the horses and arms they could, in order to make a defence against Sir Richard Verney, high-sheriff of Warwickshire, who had raised the posse. He pursued them all Wednesday, Thursday, and Friday, the sixth, seventh, and eighth of November, till he obliged them to shelter themselves at Holbeach, a house belonging to Stephen Littleton, near Stourbridge, where they were attacked by Sir Richard Walsh, high-sheriff of Worcestershire. Four of the chief of them lost their lives in defending the house, viz., Mr. Catesby, Mr. Percy, and the two Mr. Wrights: the rest became prisoners [and were afterwards executed]. Catesby lived just long enough to own himself to be the author of this desperate design.*

sage from Salisbury's letter, cited in the preceding note. Continuing where the former extract closed, the writer says,—"Whereupon his majesty . . . concurred thus far with us, that, seeing such a matter was possible, that should be done which might prevent all danger, or nothing at all. Hereupon it was moved that, till the night before his coming, nothing should be done to interrupt any purpose of theirs, that had any such devilish practice; but rather to suffer them to go on till the end of the day. And so, Monday in the afternoon, the lord chamberlain, whose office is to see all places of assembly put in readiness when the king's person should come, taking with him the Lord Mounteagle, went to see all the places in the parliament house, and took also a slight occasion to peruse the vault: where finding only piles of billets and faggots heaped up, his lordship fell inquiring only who owned the same wood; observing the proportion to be somewhat more than the housekeeper was likely to lay in for his own use. And, when answer was made, that it belonged to one Mr. Percy, his lordship straight conceived some suspicion, in regard of his person; and the Lord Mounteagle taking some notice that there was great profession between Percy and him, from which some inference might be made that it was the warning of a friend, my lord chamberlain resolved absolutely to proceed in a search, though no other materials were visible: and, being returned to the court, about five o'clock, took me up to the king, and told him that, though he was hard of belief that any such thing was thought, yet, in such a case as this, whatsoever was not done, to put all out of doubt, was as good as nothing. Whereupon it was resolved by his majesty that this matter should be so carried, as no man should be scandalized by it, nor any alarm taken for any such purpose: for the better effecting whereof, the lord treasurer, the lord admiral, the Earl of Worcester, and we two, agreed that Sir Thomas Knevett should, under a pretext for searching for stolen and embezzled goods both in that place and other houses thereabouts, remove all that wood, and so to see the plain ground under it.

"Sir Thomas Knevett, going thither, about midnight, unlooked for into the vault, found that fellow Johnson newly come out of the vault, and, without asking any more questions, stayed him; and having no sooner removed the wood, he perceived the barrels, and so bound the caitiff fast; who made no difficulty to acknowledge the act, nor to confess clearly that, the morrow following, it should have been effected." Winwood, ii. 171, 172.—*T.*]

* [The following is Gerard's account of what occurred subsequent to the appre-

Now, the only persons concerned in this design, or any way acquainted with it, were Catesby, Percy, and the two Wrights,

hension of Faukes, and the flight of the conspirators from London. "They, being all excellently well horsed, rid into the country, keeping the highway; but so fast a pace, and with such resolution, that it was very hard to overtake them, and would not have been easy to stay them. They rode two and three together, and they did ride that day, notwithstanding the foulness of the winter ways, to Dunchurch (which, I take it, is almost eighty miles), where Sir Everard Digby stayed in readiness to have surprised the person of the king's daughter, in case they had brought other news. But they bringing such news as was little expected and less welcome, as it may well be supposed, they all entered into consultation, what was best to be done; and it was much marvelled at by divers of Sir Everard Digby's friends, who were there with him in company, for his match of hunting, to see so many gallant gentlemen come in, of sudden, so late in the evening, and so well appointed. And seeing them enter into serious conversation, in a chamber apart, they knew not what to make of it; but soon after they might perceive, when they all came out, as well resolved upon some enterprise. And Sir Everard caused all his men and horses to be ready, and departed with them. Mr. Catesby also, and other of the gentlemen, had prepared their horses and furniture ready in that place beforehand; although they thought they should have used it with more advantage. For, now, when the matter was known and bruited in the country that such an act should have been performed in London, which had failed, and that all was safe there, and that it was apparent these were the conspirators, by the course they took, none would come to assist them, nor had they any with them, but such servants and followers as themselves had provided beforehand, under other pretences; which therefore, for danger of giving suspicion, could not be many: neither do I think they were ever above eighty in the whole company, although fame in other countries went, first, that they were one hundred and fifty, then three hundred, and some said they were one thousand strong: but, if that had been so, it is like the matter had not been so soon ended as it proved to be. But these conspirators, as it seems, hoped the matter would prove otherwise than it did, and that many would have joined with them, when once they saw them gathered to a head. And to make their rising the more bruited, and withal to furnish themselves with some horses for the great saddle, they went presently to Warwick, and there out of a house, which is adjoining to the castle, they seized upon certain great horses belonging to some noblemen and gentlemen, which were kept there by a rider, to be taught. From thence they went and took all my Lord Windsor's armour, which, by report, was able to furnish a much greater company than ever they had with them. From thence they went forward through Worcestershire towards Staffordshire, offering no violence or hurt to any.

"The country, in the mean time, began to rise on every side, yet none did as yet set upon them, nor until Friday following; and, on Thursday night, they came to one Mr. Stephen Lyttleton's house, in Staffordshire, who had adjoined himself unto them. And being there, it pleased God to send them such a fortune, as seemed very much to alter their resolutions, and made them resolve neither to fight nor fly, but to give up themselves willingly unto death. For, in the morning early, when some were gone abroad to discover what companies were coming, and others were preparing their shot and powder in a readiness, because there was some of the powder that they thought to be somewhat dankish, which they set before the fire, and were busy about it, whilst, behold, a spark, falling out of the fire, took hold of the powder, and that, blowing up, hurt divers of them, especially Mr. Catesby, Mr. Rookwood, but most of all Mr. Grant, whose face was much disfigured, and his eyes almost burnt out. This made them see it was not best for them to proceed in their commenced course; and, as it seems, they took it for a sign of God's will, that he would not have them prepare to resist, but rather to prepare themselves to suffer, which they did. For, as Mr. Thomas Winter said in his confession, when himself, with Mr Littleton, being gone abroad in the fields to discover, had understood of this heavy chance, and the matter being told him by his man in worse sort than indeed it was (to wit, that Mr. Catesby, Mr. Rookwood, and Mr. Grant were burnt up with powder, and the rest of the company disperst upon sight thereof), he, resolving not to fly, as Mr Littleton advised him, but first to see and bury the body of

whom justice overtook, before they came to a trial; Mr. Tresham, who died in the Tower; Guy Faukes, Thomas Winter,

his friend, Mr. Catesby, returned back to the house, and there found the gentlemen reasonable well, in respect of what he had heard, and asked them what they resolved to do. They answered, 'We mean here to die.' Then said Mr. Thomas Winter, 'I will take such part as you do.' Then they all fell earnestly to their prayers, the litanies, and such like, as since some of the company affirmed that escaped taking, being none of the conspirators, but such as joined with them in the country. They also spent an hour in meditation; and divers of their company departed, to shift for themselves, the house being not yet beset. About an hour before mid-day, the high sheriff came, with the forces of the country, and beset the house. Mr. Thomas Winter, going into the court of the house, was shot into the shoulder; with which he lost the use of his arm. The next shot was the elder Wright, who was strucken dead; after him, the younger Wright; and fourthly, Mr. Rookwood: but he was only wounded in four or five places, and so taken, and afterwards put to death at London. So were also Mr. Thomas Winter and Mr. Grant, and all the rest but Mr Catesby and Mr. Percy, who resolved they would not be taken, but rather suffer death, at that time, in the field. Whereupon Mr. Catesby took from his neck a cross of gold, which he always used to wear about him, and, blessing himself with it, and kissing it, showed it unto the people, protesting there solemnly before them all, it was only for the honour of the cross, and the exaltation of that faith which honoured the cross, and for the saving of their souls in the same faith, that had moved him to undertake the business: and sith he saw it was not God's will it should succeed in that manner they intended, or at that time, he was willing and ready to give his life for the same cause; only, he would not be taken by any, and against that only he would defend himself with his sword.

"This done, Mr. Catesby and Mr. Percy turned back to back, resolving to yield themselves to no man, but to death as the messenger of God. None of their adversaries did come near them; but one fellow, standing behind a tree with a musket, shot them both with a bullet: and Mr. Catesby was shot almost dead; the other lived three or four days. Mr. Catesby being fallen to the ground, as they say, went upon his knees into the house, and there got a picture of our blessed lady in his arms (unto whom he was accustomed to be very devout), and so, embracing and kissing the same, he died. Some of the chiefest of them did think to have escaped, as Sir Everard Digby, Mr. Robert Winter, and Mr. Stephen Littleton: and these two last, knowing the country better than the other, did indeed escape for the time. Sir Everard Digby, thinking also to take that course, offered all his servants that they might take their horses and money, and shift for themselves: but his page and one other said they would never leave him, but against their will. Therefore, being well mounted, they three went together; but they found the country so up on every side, and all drawing towards the place where, the voice was, the conspirators were beset, that it was not possible for them to pass or go unknown, especially Sir Everard Digby, being so noted a man for his stature and personage, and withal so well appointed as he was. Whereupon he did rather choose, after he had gained a little ground, to strike into a wood; and thought there in a dry pit to have stayed with his horses, until the company had been past. But they tracked his horses unto the very pit-side, and then cried out, 'here he is, here he is.' Sir Everard, being altogether undaunted, answered, 'here he is, indeed; what then?' and advanced his horse in the manner of curvetting (which he was expert in), and thought to have borne them over, and so to break from them, esteeming them to be but ten or twelve persons, whom he saw about the pit: and though he made them easily give way, yet then he saw above a hundred people hard by, and coming upon him: so that, seeing it in vain to resist, he willingly yielded himself to the likeliest man of the company, upon a desire he had to have some time before his death for his better preparation. . . . So that, only four were slain in the country: the rest were all put into the Tower for further trial, according to law: . . . unto them also were adjoined afterwards Mr. Robert Winter and Mr. Stephen Littleton, who being discovered in one place where they had been at least a month, they went unto a house of the widow Littleton's, a woman of great estate, and there were kept in a chamber by Humphrey Littleton, her alliance; she being then in London: but their being in that house was found out by the cook of the house,

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lost." See note, page 48, *ante*.—*T.*]

Robert Keyes, and Thomas Bates. These nine seem to have been privy to, and principal actors in, the plot. Others appear to have been only concerned in the insurrection, viz., Sir Everard Digby, Robert Winter, John Grant, and Ambrose Rookwood.* Again, several Jesuits are mentioned, one way or other, to have been acquainted with their proceedings, viz., Garnet, Oldcorne, Baldwin, Gerard, Tesmond, and Hammond. To these may be added Stephen Littleton, who was prosecuted for entertaining the conspirators; Percy, Earl of Northumberland, who was committed to the Tower, and fined thirty-thousand pounds, for admitting Percy among the band of pensioners, without administering the usual oaths; the Lord Stourton, and Lord Mordaunt, two Catholic peers, fined for being absent in the country, when the parliament should have met; lastly, about half-a-dozen obscure persons were apprehended, and executed, for being found among the rebels.† These were all the government could meet with, after the most diligent inquiry, either directly or indirectly concerned in this affair. However, the fact was never yet made so clear, as to unite men in one opinion, either as to the grounds, or to many particulars of the contrivance. Several Protestant

in the provision of meal; and so by him they were discovered, and taken by the next justices, and so carried up to London, and laid with the rest in the Tower." MS. c. vii. 106-111.—*T.*]

* See notes pp. 43, 45, *ante.*

†[In this passage there are some inaccuracies, which I will briefly notice. 1. Oldcorne was never supposed to have been privy to the plot, before its discovery, and suffered only for the technical offence of having relieved and succoured Garnet, after the proclamation for his arrest (Jardine, ii. 232; Challoner, ii. 487). 2. Stephen Littleton's offence was not that of merely "entertaining the conspirators:" he had been engaged as an associate by Catesby, at the preceding Michaelmas; though it does not appear that he was made acquainted with all the particulars of the plot (Winter's letter to the Lords, Jan. 21, 1606, in the State Paper Office, No. 176). 3. The charges against Northumberland were, that he had endeavoured to be the head of the English papists, and to procure them toleration; that he had admitted his relative, Percy, to the office of gentleman pensioner, without exacting from him the oath of supremacy; and that, after his restraint, he had written into the north, to secure his money and rents from the hands of Percy,—thus showing his disobedience, in writing letters without leave; manifesting a greater solicitude for the security of his property than for the apprehension of a traitor; and making use, at the same time, of these letters, as a means of giving warning to Percy, to provide for his own safety. For these offences, he was adjudged to pay the fine mentioned in the text, to be deprived of all his offices, to be incapable of holding any in future, and to be imprisoned in the Tower for life (Stowe, 884). 4. Besides Stourton and Mordaunt, the Viscount Montague also was committed to the Tower and fined, on a similar charge. From the confessions of Faukes and others, it was ascertained that Catesby knew these noblemen would not be present at the opening of Parliament; and hence a secret understanding between them and the conspirators was inferred (Birch 244). They were fined in various sums, for which Stourton and Montague were afterwards permitted to compound, the former for £1,000, the latter for £4,000 (Boderie, i. 122; Stowe, 884; Somers' Tracts, ii. 371). The payment of Mordaunt's fine, which was fixed at ten thousand marks, is not mentioned.

As regards the guilt or innocence of Garnet and the other Jesuits mentioned in the text, the question will be more properly discussed hereafter, in their respective lives.—*T.*]

writers surmise, there was more in it than what ever appeared: and I find some Catholics willing to believe it was little more than a trick of state, to bring their party under a general odium, at a time when the king was disposed to show them some favours. A middle way may, perhaps, come nearest to the truth. And, to consider the reasons and conjectures on both sides:—

Some talk at such a rate, as if the fact itself might be called into question. They think it incredible, that persons who owned themselves to be Christians, of a liberal education, and some of them of remarkable probity, and well esteemed by all parties, should on a sudden be transformed into brutes, and attempt a piece of barbarity which the very cannibals could not be suspected of. [They say] that they could have no view in the undertaking, had they effected it; that the king owned, that no Catholic power abroad had any concern in the affair, but detested it;* that the conspirators had nothing to graft upon the confusion it would have occasioned; that it was an instance of greater folly than malice, and could be attributed to nothing, but stupidity and frenzy. Above twenty Catholic peers then sat in the parliament house. These were not to be acquainted with the design, but all to be blown up, for the good of the Catholic cause.† These, with several other circumstances relating to the odd way of discovering the plot, have created some difficulty, how to reconcile the belief of it with the common notions men should entertain of persons and causes: and even at this day, many of the vulgar sort of Catholics, who are not acquainted with the story of those times, look upon the whole to be a sham contrivance to discredit their party. To speak my own sentiments upon the matter:—Though it cannot be denied but that several sham plots have been hatched, in order to oppress and vilify Catholics, yet I cannot be so partial as to excuse all of them upon the present occasion. Besides the general agreement of our historians, the fact was attended with intrinsic and undeniable proofs from the conspirators' own confession. Some acknowledged the laying of the gunpowder, others that they were privy to it; some confessed the design of an insurrection, and appeared in arms. Nay, even Garnet himself did not deny but that the secret was communicated to him in the sacrament of confession. These concurring testimonies render the substance of the account undeniable. But then, as to many particulars, some are of opinion there was a malicious design in the ministry to draw those unfortunate persons into so black a contrivance; and means made use of to carry it on. The scheme

* [In his proclamation of November 7, 1605 (apud Stowe, 880), and in his speech to parliament, two days later. Lords' Journals, ii. 358.—*T.*]

† [This part of the argument was founded on a mistake. Digby, as the reader will remember, expressly tells us that, in his opinion, "there would not have been three worth saving that should have been lost." See note, page 48, *ante*.—*T.*]

of their thoughts upon the matter stands thus:—They believe that Cecil, and some other politicians at the helm of affairs, being apprehensive that King James was meditating something in favour of the Catholic religion, set their heads to work how to make that party odious, as was formerly done in the late queen's reign, by setting a-foot and nourishing plots, and egging on men of unbridled zeal, and desperate fortunes, against the government. By this method, Mr. Catesby and some others were drawn into a conspiracy, to take revenge of the king for his breach of promise: for nothing but revenge could induce them to attempt a thing which could have no further consequences. This scheme makes Cecil all along acquainted with the plot, which he encouraged by the help of his spies, who were of the party; and by this means he knew how to time the discovery. Further, that the letter directed to Lord Mounteagle was all a sham, and of Cecil's own contrivance; and moreover, that very probably Mr. Tresham was privately dispatched in the Tower, that he might not appear, at his trial, to have played a double part, and discovered the whole mystery. This account does not excuse the conspirators; but lays a heavy weight upon the devils, that tempted them above their strength.

Hitherto I have been impartial in delivering the opinions and conjectures of both parties concerning this black design: and it is left to the reader to determine within himself, how far the great politicians at court were engaged in it.* This may be said, that they obtained their ends against the Catholics, who, by this means, were brought under disgrace and a violent persecution: and, by a charitable method, peculiar to the reformers, the whole body has ever since been charged with the fact; which, in some respect, shews as much barbarity as the plot itself. It is my business, in the next place, to wipe off this aspersion, by discovering the malignant influence of ignorance, prejudice, and passion, which has transported many Protestant writers to cast the infamy of this affair, not only upon the English Catholics, but even upon the see of Rome. This they have attempted from topics general and particular. They allege, that the principles of their religion engage them in such stratagems: that

* [That the conspirators themselves never suspected Cecil to have been connected with the plot, is clear from the observations of Gerard, inserted in a preceding note (p. 50): that the story of his having contrived it, though cited as indisputable by Dr. Milner (Letters to a Prebendary, Lett. vii.), has no foundation in truth, must be evident to all who have read the examinations and declarations of the several prisoners, published by Mr. Jardine (Crim. Trials, ii.), or the interesting narrative contained in Dr. Lingard's History (ix. 32 et seq.). Still it is not improbable that the secretary was aware of the existence of the plot, before it was supposed to have been revealed by the letter to Mounteagle; and that the letter itself was only what Gerard and others imagined at the time,—a contrivance, adopted to conceal the real mode of the discovery. Dr. Milner's arguments are fully answered by Mr. Butler, in his Memoirs of English Catholics, ii. 172-177.—*T.*]

Pope Clement VIII. published two bulls, directed to the Catholics of England, in the year 1600, whereby he charges them not to submit to any king, unless he was a Catholic; and the gunpowder plot was the consequence of these bulls: that, particularly about the time when the plot was carrying on, public prayers were ordered, both at home and abroad, for the success of the Catholic cause in England: that in the anniversary remembrance of the plot, observed every year on the fifth of November, the Protestant clergy stigmatize it as a popish contrivance: that several priests and Jesuits were consulted by the conspirators before they entered into the engagement: that, in fine, the see of Rome never made any disclaim of the fact; and that Garnet, who suffered on that account, is reputed to be a martyr, and worker of miracles. How far these allegations are capable of making good the general charge, against either all the English Catholics, or the see of Rome, will appear to any one that will but calmly consider the nature of such proofs.

For, in the first place, as to the principles of the church of Rome, it will be a difficult matter to prove that any article of their creed allows of murder. I am sure, the canons of their councils and daily practice directly speak the contrary. They are taught to pay civil obedience to princes of whatever persuasion; and, if regard may be had to practice, they live as peaceably under a church supremacy, as their neighbours do under a lay supremacy. But this being a point sufficiently debated by the learned of both churches (and only mentioned by their enemies, on the present occasion, to make the world believe that Catholics are always disposed to give disturbance to the civil power), I will pass it over, as a foreign inquiry, and little to the purpose.

As to the bulls said to be set forth by pope Clement VIII., it was never my fortune to meet with any of that import. Those I have seen were only a pastoral exhortation to remain firm in the profession of their faith. But then, as to the inference, nothing but a mind entirely bent upon malice can mention the gunpowder plot as being the consequence of such an exhortation.*

It is said that public prayers were ordered among the Catholics,

* [The "bulls," here referred to by Dodd, were in reality the *breves* which I have mentioned in a former part of this history, and of which I have there expressed a doubt whether any copy has been preserved (iii. 30). Since I wrote that note, I have discovered one of the two instruments in question,—the breve addressed to the English laity. It is a feeling exhortation to unanimity and patience, an affectionate appeal to the sufferings which they had already endured for the name of Christ, and an earnest and impressive admonition to "join with no party, to give their support to no persons, who should have incurred even the suspicion of heresy." This is the only allusion which it contains to its great political object: the task of explaining and applying its general advice, in accordance with the letter to the nuncio (ibid. Append. lxx.), was no doubt committed to the clergy. See Appendix, Part 2, No. XIV.—*T.*]

about the time of the plot. This fact, though it stands in need of a better proof than a bare assertion, can amount to no more than that the Catholics wished well to the common cause of their religion: and it might be proper to put up prayers at that time; they being in hopes of some ease from a mild prince, after the severe treatment they had met with under Queen Elizabeth. And if this is a sufficient ground to charge them with a plot, they have never been out of one since the first beginning of the reformation. They have a precedent for it from all the people of God, who lived under oppression. The Jews in their captivity begged, by public prayer, that God would shorten the days of their misery: and this they practised, without any design of subverting the government they lived under, though, perhaps, the ruin of their enemies might prove to be the effect of their prayers. The church ordered prayers for St. Peter, when he was in confinement: and, if I mistake not, every church prays that their enemies may be confounded, and put out of a capacity of distressing them. Of all plots, certainly prayers are the most innocent, and most conformable to the best notions both of religion and government.*

* [In the present instance, however, the question regards, not so much the prayer itself, as the indication, afforded by its recital at a certain time, and under certain circumstances, of the connexion of the individuals reciting it with an act of acknowledged treason. That Garnet, the only person against whom the charge of having prayed for the successful issue of the plot was levelled, at the trial, did actually use a form of prayer, calculated to give a colour to the accusation, is acknowledged both by himself and by his friends (Jardine, ii. 217, 284, 285; Eudæm. Joan. 265). Whether the prayer was unusual, whether it was specially selected for the occasion, or whether, in fact, it did not form a portion of the regular public service of the day, are points which, with the other matters here relating to him, will hereafter be considered in his life.—*T.*]

The following note, however, from Mr. Jardine's Criminal Trials, will not be misplaced in the present publication. Having cited four verses from the hymn said to have been used by Garnet, he adds,—"Much stress seems to have been laid by the attorney-general upon the fact that Garnet used these verses in his service, on All Saints' Day (Nov. 1). In consequence of the imperfect report of the speech, it is not quite clear in what manner this fact was applied. The verses are taken from one of the ancient and curious Latin hymns, which were used in the Roman church, and many of which are as old as the fourth century. This hymn, which begins, *Christe Redemptor Omnium*, formed part of the service expressly appointed for the 1st of November in the Breviaries authorized by Pius V. and Clement VIII., and in use at Garnet's time, and continues to be so at the present day. It appears, however, from an examination of Oldcorne, that Garnet told him that the Pope had granted an indulgence to all those that said these verses, and also the psalm *Deus venerunt gentes*, &c. Oldcorne, in a declaration dated March 25, 1605-6, explains this rather more fully, by stating Garnet's admission, that Pope Gregory XIII. had, at the request of Cardinal Allen, in Queen Elizabeth's time, granted an indulgence to those Catholics "that did devoutly, for the conversion of England, say that verse which is in the hymn of Allhallow Day, *Gentem*, &c, and the psalm 78, *Deus*, &c." The psalm alluded to is the 79th, in which the psalmist complains that unbelievers have desolated Jerusalem, and calls upon God, in strong language, for vengeance. The whole psalm was remarkably apposite to the state of the English Catholics, and well calculated to exasperate their excited feelings; and, unquestionably, if it had been shown that Garnet read that psalm on the 1st of November, that fact would

The annual commemoration of the fifth of November was a seasonable ordinance: but I cannot think the wise powers that appointed that day of thanksgiving, ever designed it should be solemnized after that mobbish manner it commonly is, or that public prayers should be accompanied with malice, calumnies, and invectives. If the clergy exert themselves upon the occasion, by declaiming against the see of Rome and doctrine of the Catholic church, and endeavour to make the whole party guilty of the gunpowder plot, their behaviour is no rule to the discerning part of mankind. Their design, besides private views, is to spirit up the common people, and keep alive their aversion to the Catholics: for, as the ingenious Lord Falkland has observed, the clergy labour under so many passions and prejudices, that the case of religion was never worse stated than from the pulpit. Those that have a just way of thinking, will rather suffer themselves to be directed in their opinion, by what public authority has declared as to the fact. Now the king himself, both in parliament and in the proclamations issued out for apprehending the conspirators, declares it was only a contrivance of eight or nine desperadoes: "Neither does his majesty charge the plot upon the whole body of the English papists. The conspirators' party, when most numerous, including their servants, was not more than eighty:"* much less was any foreign power

contradict his own account of the object of his prayers on that day; but there is no specific proof that he did use it." pp. 258, 259, note.

* Collier, ii. 689. [James certainly acquitted the Catholics as a body, of all participation in the plot: but it was only that he might impute its guilt more unreservedly to their religion. They were innocent, according to him, because they had not adopted those mischievous opinions, for which, however, he and his government had been exhausting the cruelty of the penal laws upon them!—I subjoin his words:—

"It resteth now," says he, addressing his parliament, on the ninth of November, "that I should shortly inform you what is to be done hereafter, upon the occasion of this horrible and strange accident. As for your part, that are my faithful and loving subjects of all degrees, I know that your hearts are so burnt up with zeal in this errand, and your tongues so ready to utter your dutiful affections, and your hands and feet so bent to concur in the execution thereof, ... as it may very well be possible that the zeal of your hearts shall make some of you, in your speeches, rashly to blame such as may be innocent of this attempt: but, upon the other part, I wish you to consider that I would be sorry that any, being innocent of this practice, either domestical or foreign, should receive blame or harm for the same. For, although it cannot be denied that it was the only blind superstition of their errors in religion, that led them to this desperate device, yet doth it not follow that all, professing that Romish religion, were guilty of the same: for, as it is true that no other sect of heretics, not excepting Turk, Jew, nor Pagan, no, not even those of Calicut, who adore the devil, did ever maintain, by the grounds of their religion, that it was lawful, or rather meritorious, as the Romish Catholics call it, to murther princes or people for quarrel of religion, ... yet it is true, on the other side, that many honest men, blinded, peradventure, with some opinions of popery (as if they be not sound in the questions of the real presence, or in the number of the sacraments, or some such school question), yet do they either not know, or, at least, not believe, all the true grounds of popery, which is indeed the 'mystery of iniquity.' And therefore do we justly confess that many Papists, especially our forefathers, laying their only trust upon Christ and his merits, at

engaged or applied to, as the king himself said he was satisfied, from their ambassadors then residing in London, who made public rejoicings upon the discovery of the plot.

What is alleged in the next place, concerning priests and Jesuits, that were consulted by the conspirators, is so far from favouring a general charge, that it is a manifest indication of the contrary. Among between three or four hundred missioners, at that time belonging to England, only six were ever mentioned to be concerned, and of these six, only two convicted to have been privy to it; who, at the same time, never consented to it, but used their endeavours to put a stop to the designs. So that, whether they were acquainted with these matters in confession, or otherwise, they cannot strictly be styled conspirators, though guilty of misprision, and subject to death by the rigour of the law; which might have been, and has often been, the case of persons very well affected to the government. Upon this account, several unfortunate gentlemen have unthinkingly exposed their lives, rather than betray their friend, and incur the odium of becoming informers.

What is in the next place alleged, concerning the Bishop of Rome never making any public disclaim of this horrid contrivance, it is a very unreasonable expectation. Did King James ever charge him with it? Is an English mob to be attended to, and complimented in all their extravagancies and spiteful invectives? Should the Bishop of Rome condescend so far as to endeavour to put a stop to all the calumnies levelled against the holy see, he must live as many ages as he does minutes, to publish a sufficient number of apologies; and after all, if I mistake not the good dispositions of his enemies, it would be all labour lost. They would be found to have as little faith as they have charity. But if disclaims are of any use to wipe off the aspersion, English Catholics have given content abundantly upon this head; since, both upon the discovery of the plot, and at all times downward, they have unanimously detested it.*

their last breath, may be, and oftentimes are, saved; detesting, in that point, and thinking the cruelty of the puritans worthy of fire, that will admit no salvation to any papist. I, therefore, thus do conclude this point,—that as, upon the one part, many honest men, seduced with some errors of Popery, *may yet remain good and faithful subjects*, so, upon the other part, none of those that truly know and believe the whole grounds and school-conclusions of their doctrine, can ever prove either good Christians, or faithful subjects." (See the speech in the Lords' Journals, ii. 358; James's works, 503; and Gunpowder Treason, 1). When James thus acknowledged the possibility of being a Catholic, without "believing" the pernicious doctrines which he denounced, he must have forgotten that he thereby acquitted the religion itself of the very charge that he was endeavouring to fix upon it.—*T.*]

* [As regards the pope, however, it must be remembered that he did that which was infinitely more decisive of his real feelings, than any postliminious condemnation of the act could possibly have been,—he endeavoured to prevent it. So early as the month of June, information reached him, through a private channel, that some design was in agitation for the disturbance of the government; and he

To conclude with what relates to Garnet's being a martyr and worker of miracles, I leave the reader to form a judgment of

instantly ordered Aquaviva, the general of the society, to write to Garnet, expressing his conviction that the existence of the conspiracy must be known to that Jesuit, and commanding him, without a moment's delay, to exert himself in arresting its progress. Garnet's answer, if it confirmed the intelligence conveyed to the pontiff, must also have tended to allay the apprehensions which that intelligence had excited. It was true, he said, there were individuals among the Catholics, whose resentment would scarcely be controlled by the bare injunctions of his holiness. Four times, however, he had himself been able to frustrate the plans of the disaffected: without his consent, the great body of the Catholics would never engage in any violent enterprise; and though he certainly was uneasy, lest men, who had long since talked of the duty of "defending their lives," might ultimately, by their rash proceedings, involve their more peaceable brethren in rebellion, yet, for the present at least, he had succeeded in averting this calamity, and, by engaging the parties in question to wait for the opinion of the holy see, had gained time for the application of some suitable remedy (See Appendix, part 2, No. XV.). In another letter, dated on the twenty-eighth of August, he assured Persons, who also had been employed to write to him from the pope, that the "Catholics were quiet, and likely to continue their old patience" (Gerard's MS. 79): a similar assurance he repeated in the letter written in October, which the reader has already seen in the Appendix (part 2, No. XIII.): and if, therefore, no further measures were adopted by Rome for the overthrow of the plot, it was only because, deceived by the statements conveyed from England, the pontiff had been led to imagine that every criminal design had been abandoned. Nor was this all. If, after its discovery, the pope himself abstained from issuing a formal condemnation of the conspiracy, Blackwell, at least, his delegate and representative in England, instantly came forward to stigmatize it as a "detestable device," an "intolerable, uncharitable, scandalous, and desperate fact." No sooner had the proclamation for the apprehension of the conspirators announced the intelligence that Catholics were implicated in it, than he addressed a letter to the clergy and laity of his flock (Nov. 7), reminding them of the criminality of all forcible attempts against the government, and exhorting them to manifest their respect for the decisions of the church, the clergy by inculcating, the laity by practising, that patient submission to the laws, which alone could "please God, mollify man, and encrease their merits and their glory in the world to come." Three weeks later (Nov. 28), he repeated his admonition in still stronger terms. He reminded his people of his former letter, assured them that "no violent attempt against the king or his government could be other than a most grievous and heinous offence to God;" and concluded by declaring that, as the pope had already condemned, and would doubtless again condemn, all such unlawful proceedings, so he, by the authority of the pope, now strictly forbad all Catholics, under pain of ecclesiastical censures, "to attempt any practice or action, tending to the prejudice" of the throne, or to behave themselves in any manner but such "as became dutiful subjects and religious Catholics, to their king, his counsellors, and officers." To show that, in these instruments, the archpriest spoke nothing but the sentiments of the pontiff, it is only necessary to add that, even in the preceding July, instructions, to the very same effect as those transmitted to Garnet, had been published by him, at the express command of his holiness; and that, in the following summer, the pope himself addressed two letters to James, one by a special messenger, the other through a different channel, expressing his abhorrence of the late conspiracy, and soliciting the royal clemency for the unoffending Catholics. "J'ai sçu depuis peu, que le dit baron de Magdelène . . . a fait la voyage par commandement du pape, dont il est camérier, pour recommander au roi d'Angleterre les Catholiques du pays, l'assurer de leur obéissance, comme de la bonne volonte de sa sainteté en son endroit, et lui temoigner le regret qu'elle a de la conspiration de la fougade, qui a été dressée contre sa personne par aucuns soi-disans Catholiques, l'action desquels sa sainteté déteste, comme elle fera toujours autres semblables attentats. Nous avons encore sçu que le dit pape a depuis ecrit, par autre voie, une lettre au dit roi, sur le même sujet, ... et que la dite lettre etoit tombée ès mains du dit roi de la grand Bretagne" (Boderie, i. 284). Blackwell's three letters will be found in the Appendix, part 2, No. XVI.

those matters from the circumstances of his life and behaviour; to which it will conduce very much, if we consider how far he could preserve a good conscience in the commerce he had with the conspirators. The same, I say, as to his miracles, which are to be credited or disregarded with respect to proofs. Neither the church of Rome, nor the body of English Catholics, are under any obligation to become a party in such kind of controversies.*

* [The truth is, that the charge, embodied in the present question, is founded on misapprehension; and that, whilst, on the one hand, the church has never pronounced in favour either of the sanctity, or of the miracles, of Garnet, on the other, that sanctity and those miracles have been ascribed to him by his admirers, not because they acknowledged him to be guilty, but because they believed him to be innocent, of the treason for which he suffered. To them Garnet was a saint, *because* he was *not* chargeable with the offence imputed to him by his enemies: he was a martyr, because he had fulfilled his duty, and had sacrificed his life, rather than violate the most sacred obligation of his spiritual ministry. Whether right or wrong as to the *fact*, upon which their judgment was framed, it is clear that the very devotion with which they regarded his innocence, was the strongest evidence of their abhorrence of the crime, for which they deemed him to have been unjustly executed.—*T.*]

APPENDIX.

PART I.

NOTE A. pp. 5, 12.

Letter from Garnet to Persons.

" My verie lovinge sir, we are to goe within fewe dayes neerer London, yet are we unprovided of a house, nor can find any convenient for any longe tyme. But we must be fayne to borrowe some private house, and live more privately untill this storme be overblowen; for most strict inquiries are practised, wherein yf my hostesse be not quite undone, she speedeth better than many of her neighbours. The courses taken are more severe than in Q. Elizabeth's tyme. Everie six weeks in a severall court, juries appointed to indite, present, find the goods of Catholicks, prize them, yea, in many places to drive awaye whatsoever they find (contra ordinem juris), and putt the owners, yf perhaps Protestants, to prove that they be theirs and not of recusants with whom they deale. The commissioners in all contreys are the most earnest and base Puritans, whom otherwise the kinge discountenanceth. The prisoners at Wisbich are almost famished: they are verie close, and can have no healpe from abrode, but the kinge allowinge a marke a weeke for eche one, the keeper maketh his gains, and giveth them meate but three dayes a weeke. If any recusant buy his goods againe, they inquire diligently yf the money be his own, otherwise they would have that toe. In fine, yf these courses hould, everie man must be fayne to redeeme once in six moneths the verie bedd he lyeth on: and hereof, that is of twice redeeminge, besides other presidents I find one in this lodginge where nowe I am. The judges nowe openly protest that the kinge nowe will have blood, and hath taken blood in Yorkshier: that the kinge hath hitherto stroaked the papists, but nowe will strike. This is without any least desert of Catholicks. The execution of two in the north is certayn, and, whereas it was done uppon could blood, that is, with so great staye after their condemnation, it argueth a deliberate resolution of what we may expect. So that there is noe hope that Pope Paulus V. can doe any thinge: and whatsoever men give owt there of easie proceedings with Catholicks, is mere fabulous. And yet I am assured notwithstandinge, that the best sort of Catholicks will beare all their losses with patience. But howe these tyrannicall proceedinges of such base officers may drive particular men to desperate attempts, that I can not answer for, the kinge's wisedome will foresee.

" I have a letter from Field in Ireland, whoe telleth me that of late

there was a verie severe proclamation against all ecclesiasticall persons, and a generall command for goinge to the churche; with a solemne protestation that the kinge never promised nor meant to give toleration."

"October 4, 1605."

In former editions I published this document from the copy in Gerard's manuscript narrative. The original is, however, in existence, and the comparison of the two shows what liberties were taken by the copyist with the original. Had his object been only to present the public with an account of the persecution to which the English Catholics were at that moment subjected, there would not have been great cause to complain of his alterations in the first part; for they were evidently made to conceal from government the names of the persons who occasionally afforded Garnet an asylum. Neither is his omission of several short paragraphs which follow in the original of any great consequence; for they mostly relate to private concerns, and are not of general interest. But to the original letter is appended a postscript, of the date of the 21st of October. This is most important. It shows that the letter of the 4th was still in the possession of Garnet, almost three weeks after it was written. In the postscript he states that the letter had been returned to him by the friend to whom it had been intrusted, because that friend had been "stayed," and that he had taken the opportunity "to blot out some words, purposing to write the same by the next opportunity, as he will do apart." What these words were we know not; but that he thought them of the greatest importance is plain from the pains which he took to "blot them out;" for this he has done so effectually, that it is impossible to decipher a syllable of the original writing. Then follows the notice about Field in Ireland, which, though for what purpose it is difficult to guess, has in Gerard's copy been taken out of the postscript, and introduced into the letter itself, under the date of October 4.

The object for which this letter was made up in the shape which it thus assumes in Gerard's manuscript, is plain from the reasoning which both he and Greenway found upon it. They contend that, if Garnet had been privy to the conspiracy, he must have believed on the 4th, that the explosion had already taken place on the 3rd, the day on which the parliament had been summoned to meet; though no reason is assigned why he might not, as well as others, have been aware of the prorogation to the 5th of November: and they add that, under such belief, he would never have resolved to encounter the danger of making, as he proposed to do, a journey to London; though in fact he made no such journey, but changed his route, and was actually, at the time in which he wrote, on his way to the meeting appointed at Dunchurch. Hence it became necessary to suppress the postscript, because it was irreconcilable with such statements. There was, moreover, this benefit in the suppression, that it kept the reader in ignorance, 1. of the real date of the letter, the 21st of October, the very time when it is admitted that Greenway made to Garnet a full disclosure of the plot; and 2. that Garnet took that opportunity of blotting out a most important passage in the letter written on the 4th, with a promise to forward the same passage later in an epistle apart; two facts which would furnish strong

presumptions against the alleged innocence of the provincial. I do not know, however, that his advocates ever ventured to send the letter in this shape to the press. It was exhibited to Eudæmon Joannes, when he wrote his Apologia against Coke; for he refers to it, and draws from it the same conclusions which had been already drawn for him by Gerard and Greenway.—Ad actionem proditoriam Edouardi Coqui Apologia, cap. ix., versus finem. But he merely mentions the date of October 4, without transcribing the letter, or quoting any passage from it. Mr. Tierney has published both the original letter and the pretended copy, vol. iv. App. p. cii. [It will be found in the Appendix to the present publication, part 2, No. XIII.—*Editor.*]

NOTE B. p. 15.

Letter from Garnet to his Superior in Rome.

" Magnifice Domine,

" Accepimus dominationis vestræ literas, quas ea qua par est reverentia erga suam sanctitatem et vestram paternitatem amplectimur. Et quidem pro mea parte quater hactenus tumultum impedivi. Nec dubium est quin publicos omnes armorum apparatus prohibere possimus, cum certum sit multos Catholicos, absque nostro consensu, nihil hujusmodi nisi urgente necessitate attentare velle.

" Duo tamen sunt quæ nos valde solicitos tenent. Primum ne alii fortassis in una aliqua provincia ad arma convolent, unde alios ipsa necessitas ad similia studia compellat.

" Sunt enim non pauci, qui nudo suæ sanctitatis jussu cohiberi non possunt. Ausi sunt enim, vivo papa Clemente, interrogare num posset papa illos prohibere quominus vitam suam defendant. Dicunt insuper suorum secretorum presbyterum nullum fore conscium: nominatim vero de nobis conqueruntur etiam amici nonnulli, nos illorum molitionibus obicem ponere.

" Atque ut hos aliquo modo leniremus, et saltem tempus lucraremur, ut dilatione aliqua adhiberi possint congrua remedia, hortati sumus, ut communi consilio ali-

" Excellent Sir,

" We have received your lordship's letters with that reverence which is due to his Holiness and to your paternity. For my own part, I have already four times prevented a disturbance; nor is there a doubt that we shall be able to hinder any recourse to arms, since it is well known, with regard to a large number of Catholics, that, except in case of urgent necessity, they will attempt nothing of the sort without our consent.

" There are, however, two subjects of no small anxiety to us. The first is an apprehension lest others should fly to arms, and thus, by a kind of necessity, draw these also into the same courses. For there are many who will never be restrained by the bare commands of his Holiness. During the life of Pope Clement, they hesitated not to ask whether the Pontiff could prohibit them from defending their lives: at the present moment, they declare that no priest shall ever be made acquainted with their secret purposes:—even among our friends there are some who make it a subject of complaint against us, that we oppose an obstacle to the completion of these men's designs.

" Well, to mollify these people in

quem ad sanctissimum mitterent: quod factum est, eumque ad illustrissimum Nuntium in Flandriam direxi, ut ab ipso suæ sanctitati commendetur, scriptis etiam literis quibus eorum sententiam exposui, et rationes pro utraque parte. Hæ literæ fuse scriptæ et plenissimæ fuere: tutissimè enim transferentur: atque hoc de primo periculo. Alterum est aliquanto deterius, quia periculum est ne privatim aliqua proditio vel vis Regi offeratur, et hoc pacto omnes Catholici ad arma compellantur.

"Quare meo quidem judicio duo necessaria sunt; primum ut sua sanctitas præscribat quid quoque in casu agendum sit; deinde, ut sub censuris omnem armorum vim Catholicis prohibeat, idque Brevi publice edito, cujus occasio obtendi potest nuper excitatus in Wallia tumultus, qui demum in nihilum recidit. Restat ut (cum in pejus omnia quotidie prolabantur) oremus suam sanctitatem his tantis periculis ut brevi necessarium aliquod remedium adhibeat: cujus sicut et reverendæ paternitatis vestræ benedictionem imploramus.

"Magnificæ Dominationis vestræ servus,

"Henricus Garnet.

"Londoni, 24 Julii, 1605."

some degree, and also to gain time, so as, by a little delay, to be able to apply a fitting remedy to the evil, we have advised them to unite in deputing a representative to the Pope. This has been done; and I have directed the envoy to the Nuncio in Flanders, that by him he may be commended to his Holiness. I have also given him letters, setting forth the opinions of the parties in question, and the arguments by which those opinions are defended or opposed; and, as there will be no danger in the conveyance, I have written most fully and copiously on the subject.—So much for the first object of apprehension.

"The second is even more formidable; for the danger is, lest some treasonable violence be secretly offered to the king, and thus the whole body of Catholics be compelled to take up arms.

"Wherefore, in my opinion, two things are necessary: the first, that his Holiness should prescribe the course to be adopted in each of the above cases; the second, that, availing himself of the late unsuccessful rising in Wales, as a pretext for speaking, he should address a breve to the Catholics, and forbid them, under pain of censures, to resort to anything in the shape of violence. For the rest, seeing that things are daily growing worse and worse, we must beseech his Holiness to apply a speedy remedy to these dreadful evils, while we implore his blessing, and that of your reverend paternity.

"Your Excellent Lordship's servant,

"Henry Garnet.

"London, 24 July, 1605."

There is in the State Paper Office a copy of the first portion of this letter, as far as the words "ad sanctissimum mitterent," which is followed by an *&c.*—Tierney, iv. App. p. cix. The only difference between it

and the published letter is, that where the latter has "Duo tamen sunt quæ nos valde solicitos tenent: primum ne alii," the MS. has "Est tamen quod nos valde solicitos tenet, ne alii." Which of the two may be the true reading is uncertain; but it does not appear to me that a small fragment of the letter, with its *&c.* in place of the rest of its contents, can be very deserving of credit, as long as we are ignorant by whom, or for what purpose, it was copied. There is a still greater difficulty in this letter, where Garnet says, on July 24, that he has despatched the common messenger to the nuncio in Flanders, whereas it is well known that Baynham, that messenger, did not leave England before September. I have endeavoured to explain it away in different manners, but it now appears to me that Garnet has been misunderstood. He does not say that he had actually despatched the messenger to the nuncio, but that he had directed him,—"direxi,"—which may mean nothing more than that he had given to him instructions with letters of credence. Now it was very possible that, after he had done this, events might happen to prevent the immediate departure of Baynham, or to retard it for a few weeks, in which supposition the letter will perfectly agree with the fact.—See post, Appendix, part 2, No. XIV.

NOTE C, pp. 19, 29.

In this note I shall mention the chief presumptions against Garnet, Greenway, and Gerard, and their answers, with those of their advocates.

1. With respect to Garnet, it is admitted on all hands that no overt act of treason was ever proved against him.

2. Garnet himself admitted that he had incurred the legal guilt of misprision of treason, because he had concealed the general knowledge which he derived from one of the conspirators, that *a* treasonable plot was in agitation.

3. It is moreover admitted that he afterwards became acquainted with *the* particular plot, and also concealed that knowledge: but that concealment he justified by the plea that the knowledge came to him under the seal of sacramental confession.

4. It now became a question whether this was really the fact. To discover the truth he was made to believe that Greenway, whom he had named as his informant, had been taken, and had asserted in his examination that, when he mentioned the plot, it was not in confession. Garnet now appeared to waver; and the discrepancy in his several answers was taken for the tergiversation of one who, being caught in a falsehood, seeks by evasion to escape conviction. Yet all his answers amount in reality to the same thing; for it is universally understood among Catholics, that, if a confessor consult another theologian respecting any case made known to him in confession, that person, in whatever way the information may be conveyed, is equally bound to secrecy with the confessor himself. Garnet's answers are all founded on this doctrine. The discrepancy arises from his solicitude not to injure Greenway, by contradicting what he had been falsely told was the confession of Greenway.

5. Supposing, then, the statement of Garnet to be correct, it is of

importance to ascertain at what time the communication was made to him. If in the month of July, what excuse can be alleged for the indolent security in which he seems to have passed the months of August, September, and October? He had indeed no authority over any but the members of his order; he could not control the actions of Catesby and the other conspirators; yet so great was the influence which he possessed among them, and so many opportunities must have offered themselves of exercising that influence, that he undoubtedly might, if he had been so inclined, have discovered, during those three months, some means of preventing the attempt, without danger of betraying the secret. But is it then certain that he was acquainted with the plot in July? It has, indeed, been said that "Garnet invariably asserted, both in the examinations which are yet preserved, and also in his defence, and in his speech from the scaffold, that he first heard of the plot from Greenway on the 26th of July" (Jardine, 363); and certainly, if this statement is correct, his silence and apathy during the three following months will furnish a strong presumption against him. But I have been unable to discover any proof of it, either in Garnet's defence at his trial, or in his speech at his execution. It depends solely on the record of his confession of March 12, in which he is made to assign "St. James's tide" as the date of the communication from Greenway; a confession, however, into the record of which I am convinced, for several reasons, that a very important error has crept. For 1. as late as October 4, he wrote to Persons the letter in Note A, in answer to one inquiring what stirs were in agitation among Catholics. Now it is plain, from the tenour of that letter, that Garnet was then (October 4) ignorant of any particulars of the plot, unless we suppose that he sought by equivocation to impose on his superiors in Rome,—a supposition which no one acquainted with the constitution of the order will be disposed to admit.* 2. According both to Greenway in his narrative, and to Eudæmon Joannes, who derived his information directly from Greenway, it was after the return of Garnet from St. Winifred's Well, and consequently in October, that Greenway made the communication to him. 3. De Thou, who wrote from documents furnished by the prosecutors, states that Garnet, when he was examined respecting his interlocutions with Oldcorne, and consequently after March 2, confessed that he learned the particulars from Greenway *five* months before, having previously to that received a general hint of the matter from Catesby: fateri quidem se ante v. menses a Grenwello de re omni edoctum, antea in genere a Catesbeio monitum (vi. 344). This testimony, therefore, places the communication also in October, the fifth month before March. These considerations induce me to believe that by mistake the name of Greenway has been used for that of Catesby, and that "St. James's tide," the date assigned to the communication by Greenway in the confession of March 12, was in reality the date of the communication made

* [It is evidently by an oversight, on the part of the historian, that this portion of the argument has been allowed to remain in the last edition of Dr. Lingard's inestimable work. The discovery of the original of Garnet's letter of October 4, and the consequent admissions of Dr. Lingard in a preceding note (pp. 64, 65, *ante*), not only destroy the whole groundwork of this reasoning, but also prove that the Jesuit *did* seek "to impose on his superiors in Rome," by *despatching* at least, if not by writing, the letter in question, after he had learned the "particulars of the plot." This, however, does not affect the other arguments here adduced by the historian in vindication of Garnet.—*Editor.*]

by Catesby, which gave occasion to Garnet's letter of July 24, in Note B; and that the other communication was made to him at Harrowden shortly after October 20; for on that day he went there on a visit to Lord Vaux, in the company of the two aunts of that nobleman, and there Catesby and Greenway met him, as we are informed by Greenway himself.

6. But how did Garnet act after he had become acquainted with the particulars of the plot? He goes, on the last day of the month, with Sir Everard Digby to Coughton, where that conspirator had invited several Catholic gentlemen to meet him under pretence of hunting at Dunchurch, on the 5th of November. What could take him there at such a time, with the knowledge which he possessed? It certainly bears a suspicious appearance, and Garnet himself was aware of it. In his conversation with Oldcorne (Jardine, 220), he expresses his anxiety on that head; and, in a letter to Anne Vaux, he writes, "The time of my coming to Coughton is a great presumption; but all Catholics know that it was necessity."—Jardine, 392. What, then, was that necessity? Coughton was his appointed station for the festival of All Saints: he was expected there by the different Catholic families in those parts: all who used his ministry would be there to receive the sacrament from him. He could not disappoint them without exciting among them strange surmises as to the cause of his absence.

7. At Coughton, we are told, that he prayed to be "rid of heresy," and called upon his hearers to pray for some good success towards the Catholic cause.—Oldcorne, examin. 6th March. Handy, examin. 27th Nov. The spies, who overheard his conversation with Oldcorne, understood him also to state that he had made a form of prayer and a hymn for the success of that business.—Interlocution of 23rd and 25th Feb. Jardine, 217, 221. In this there is much mistake and misrepresentation, arising perhaps from the difficulty of hearing; for the form of prayer was one in common use, and the hymn had been a portion of the service of the day for centuries. It is, however, plain that Garnet had acted very imprudently at Coughton, probably had suffered expressions to escape him which, though sufficiently obscure then, might now prove his acquaintance with the plot; for he writes to Anne Vaux, on March 4th, "There is some talk here of a discourse made by me or Hall; I fear it is that which I made at Coughton."—Antil. 144.

8. There was something extraordinary in the simplicity or credulity of Garnet whilst he remained in the Tower. Aware that he had been duped and betrayed by the men who offered to him their services, he suffered himself to be duped and betrayed to the very end. He still continued to write letters; and of all these there was not perhaps one which did not come into the hands of the lieutenant: many served as proofs against him, and one acquired considerable celebrity after his death, from the use made of it by the writers whom the king employed to persuade foreign nations of Garnet's guilt. It was written on Palm Sunday (April 13), to his brethren of the society, being an apology for his several confessions and disclosures, which, as he had been falsely informed, had scandalized the whole body of Catholics. Dr. Andrews, at that time Bishop of Chichester, made from it a selection of passages, which he published in his Tortura Torti, printed in London in 1609, and in Hanau in 1610. The same were copied from the work of

Andrews by Casaubon in his Epistola ad Frontonem Ducæum, printed in London in 1611, and in Frankfort in 1612. Lastly came Dr. Robert Abbot, brother to the archbishop, who added to the former selection, and published the whole in a new Latin version in 1613. In former editions of this history, judging from the specimen exhibited by Dr. Andrews, I had no hesitation in pronouncing the letter a forgery. The remarks of Mr. Jardine (p. 328) have induced me to compare the two versions; and the comparison has led me to the conclusion, not, indeed, that there was no original, but that so many falsifications inconsistent with facts were introduced into the translation by Dr. Andrews, that I was justified in supposing that there was none.

That the reader may judge of the arts employed to confirm the conviction of the Jesuit, he may compare the parallel passages out of this letter in the following columns, the first taken from the more correct version of Dr. Abbot, the other from the false version of Dr. Andrews, published four years earlier:—

Causa, qua adductus sum agnoscere conscientiam meam, fuit quod me accusaverant omnes qui antecesserant, Catesbeio nomen meum obtendente, *quo aliis persuaderet*, qui me *multo magis reum* existimarunt quam revera fueram (p. 146).

Porro interceptæ sunt, nescio qua perfidia, literæ meæ ad Dmam Annam aurantiarum succo scriptæ, per quas adversum me *aliquid ansæ arripuerunt, quanquam sine causa*.—Ibid.

Atque hic coactus sum quoque nominare Grenwellum; quod nunquam fecissem, nisi mihi pro certo dictum fuisset ab amico eum in partes ultramarinas, evasisse. Quod nisi ita sensissem, colligere me oportuisset sensus meos ad aliam formalem fabulam excogitandam. —Ibid.

Re ita, ut factum est, habente, necessarium erat. Primo namque non poteram a conjuratorum aliquo mutuatam dicere notitiam meam: hoc enim contrarium erat religiosissimis protestationibus meis, quas scripto feceram Catholicis omnibus, et verbo consiliariis regiis.—Ibid.

Nam quid facerem? 1. Accusabant me *reliqui* omnes conjurati. 2. Catisbæus usus semper apud eos fuerat auctoritate mea, *qua adduxit pene omnes ut bene sentirent de negotio*, quo factum est ut ad unum omnes me haberent *pro reo* (p. 426).

Literæ etiam a me aurantiarum succo scriptæ ad D. Annam, nescio quomodo, in illorum manus pervenerunt, *quibus scientiam meam non obscure confessus eram*. —Ibid.

De accusato Grenwello ita respondit, sibi quidem, *si fuga sibi consuluisset Grenwellus* (putabat enim tum captum et in custodia); aliam aliquam rationem ineundam esse, atque fabulam aliam formalem sibi fingendam esse.—Ibid.

Cum enim rem scire me jam scirent omnes, aliunde petenda mihi fuit origo cognitionis meæ. A conspiratoribus *laicis* non poteram; quod sæpe *illis dicto, scripto, sancte protestatus essem me illos non proditurum unquam* (p. 427).

It cannot escape the notice of the reader that the many erroneous renderings in the translation of Dr. Andrews are wilful, all being made for the purpose of aggravating the guilt of Garnet. Dr. Abbot's translation has the appearance of being much more correct, though he also

seems not to have felt any objection to the employment of a little fraud, when its object was to blacken the character of a Jesuit. This is manifest from his attempt to persuade his readers that Anne Vaux was the mistress of Garnet. With this view he copies certain apparently endearing expressions from her letters, and makes her sign them with the initials A. G., as if she had taken Garnet's name, and looked upon herself as his wife (Antil. 135); whereas her words are only expressive of her grief to be deprived of one who had been for many years her spiritual director; and her real signature (for these letters are still in the State Paper Office) is not A. G., but, as Mr. Jardine has remarked (p. 200), A. V., or Anne Vaux.

There is in the same letter, written on Palm Sunday, a passage which appears to me to explain the whole of Garnet's conduct. "Always," he says, "I condemned the plot *absolutely in my own mind;* and my opinion generally was, that all stirs against the king were unlawful, because the authority of the pope, who had forbidden all such attempts, was wanting. And of this my opinion I have many witnesses, with whom I have reasoned on the subject, though I did not dare absolutely *to condemn the opinions of others*, or to take away the liberty which many theologians allow to Catholics, though against my opinion."—Antil. 146. The fact was, that Garnet followed the doctrine of probabilism. He did not conceal his own sentiments, but he refused to condemn those who thought themselves justified in adopting the opposite opinion.

9. In 1675 certain letters were discovered, written from the Tower by Digby to his wife, but intended for Gerard. In them he expresses his surprise and sorrow that the design should be condemned by the Catholics and missionaries in general, and declares that he would never have engaged in it had he not been persuaded that it was lawful. "It was my certain belief that those which were best able to judge of the lawfulness of it had been acquainted with it, and given way unto it. More reasons I had to persuade me to this belief than I dare utter, which I will never, to the suspicion of any, though I should to the rack for it."—Gunpowder Treason, edition of 1679, p. 242. In reference to the same subject he proceeds in a subsequent letter: "I do answer your speech with Mr. Brown thus. Before that I knew anything of this plot, I did ask Mr. Farmer (Garnet) what the meaning of the pope's brief was." (This brief was sent to Garnet on the 19th of July, 1603, in consequence of Watson's treason, which I mention because a very erroneous meaning has been given to the passage in Miss Aikin's Court of James I.) "He told me that they were not, meaning priests, to undertake or procure any stirrs: but yet they would not hinder any, (neither was it the pope's mind they should) that should be undertaken for Catholick good. I did never utter thus much, nor would not but to you; and this answer, with Mr Catesbye's proceedings with him and me, gave me absolute belief that the matter in general was approved, though every particular was not known" (p. 250, 251). Hence it appears to have been the persuasion of Digby that Garnet approved of the plot. But had he any assurance of it? It is plain that he had not. "As I did not know it directly that it was approved by such, so did I hold it in my conscience the best not to know any more if I might" (p. 242). This concession appears to take away the force of his previous testimony.

With respect to Greenway, it is certain that he knew of the secret in confession; but of this the ministers were unacquainted at the time of the proclamation. The grounds of the charge against him were the following:—1. According to the Attorney-General at the trial, Bates had acknowledged that he mentioned the matter to Greenway, and received from him instructions to do whatever his master should order. On the other side Greenway, in a paper which lies before me, declares on his salvation that Bates never spoke one word to him on the subject, either in or out of confession; and Bates himself, in a letter written before he suffered, asserts that he merely said it was his suspicion that Greenway might have known something of the plot. 2. On the 6th of November, Greenway rode to the conspirators at Huddington, and administered to them the sacrament. He replies that, having learned, from a letter written by Sir Everard to Lady Digby, the danger in which they were, he deemed it a duty to offer to them the aids of religion before they suffered that death which threatened them; that for this purpose he rode to Huddington, and then, after a few hours, left them for the house of Mr. Abingdon, at Henlip. Greenway escaped to Flanders.

The charge against Gerard rested at first on the very slender foundation I have already mentioned in page 8, note. The moment it was made he loudly proclaimed his innocence, and in several letters demanded justice from the lords in the council. Six-and-twenty years later the charge was revived against him by Anthony Smith, a secular clergyman, who made affidavit before Dr. Smith, bishop of Chalcedon and vicar-apostolic in England, that in his hearing Gerard had said, in the novitiate at Liege, that he worked in the mine with the lay conspirators, till his clothes were as wet with perspiration as if they had been dipped in water; and that the general condemnation of the plot was chiefly owing to its bad success, as had often happened to the attempts of unfortunate generals in war.—MS. copy, dated April 17, 1631. On the contrary, Gerard, being called upon by his superiors, again proclaimed his innocence, asserted it on oath, and took the sacrament upon it; and it may be thought some, though not very conclusive, proof in his favour, that Faukes, in his examination on the 8th of November, says that "none but gentlemen worked in the mine."—Original in the State Paper Office. For my own part, after having read what he wrote in his own vindication, I cannot doubt his innocence, and suspect that Smith unintentionally attributed to him what he had heard him say of some other person.

I will only add that implicit faith is not to be given even to the documents published by the Government. Winter is said to have confessed that Faukes went to Flanders with the intention of communicating the plot to Owen.—Gunpowder Treason, p. 56. Faukes is also made to assert the same. "I retired into the Low Countreys *by advice and direction of the rest, as well to acquaint Owen with the particulars of the plot, as also* least by my longer stay I might have grown suspicious."—Ibid. 42. The original of Winter's confession is lost; that of Faukes is still in the State Paper Office, but I understand that it does not contain the passage which is printed in italics. Two other instances are noticed by Mr. Jardine, p. 6.

PART II.

No. I. (Referred to at page 2.)

Instructions from the Nuncio at Brussels to Dr. William Gifford, Dean of Lisle, August 1, 1603.

[MS. in the English College at Rome, Scritture, iii. 17.]

Octavius, Dei et Apostolicæ sedis gratiâ episcopus Tricaricensis, S. D. N. Clementis VIII., ejusdemque Sanctæ Sedis in Belgarum provinciis, civitatibus, et locis omnibus nuncius, cum potestate legati de latere, et regnorum Angliæ, Scotiæ, et Hiberniæ viceprotector, dilecto nobis in Christo Gulielmo Giffordo presbytero, sacræ theologiæ doctori, insignis ecclesiæ collegiatæ D. Petri Insulensis decano et canonico, salutem in Domino sempiternam.

Exponi nobis nuper fecisti, quòd tam pro zelo tuo erga religionis catholicæ augmentum, quàm erga obsequium serenissimorum principum tuorum, regis et reginæ Angliæ, decreveris in Angliæ regnum proficisci, ibidemque aliquandiù commorari, ideoque humiliter nobis supplicasti quatenùs te nostris literis honorare dignaremur. Quapropter considerantes tua erga sedem apostolicam merita, nobis jamdudum compertissima, et confisi prudentiæ et discretioni tuæ, quas in majoris momenti negotiis, functionem tuam et sanctæ sedis obsequium concernentibus, sæpiùs experti sumus, teque his nostris literis munire volentes, reverendissimo in Christo dilecto domino Georgio Blackwello, regni Angliæ archipresbytero, omnibusque et singulis quorum interest, vel interesse poterit, per præsentes notum facimus, quòd tu, tam pro tuâ erga sanctam sedem apostolicam reverentiâ, quàm erga serenissimos

Octavius, by the grace of God and favour of the Apostolic See, Bishop of Trica, Nuncio of our Lord Pope Clement VIII. and of the same Holy See in the provinces, cities, and other places of Belgium, with the powers of Legate *a latere*, and Vice-protector of the kingdoms of England, Scotland, and Ireland, to our beloved in Christ, William Gifford, priest, doctor of theology, and dean and canon of the collegiate church of Lisle, perpetual health in the Lord.

You have lately made known to us, that, as well from a zeal for the encrease of Catholic religion, as from a desire to manifest your respect for your serene princes, the King and Queen of England, you have determined to make a journey into that country, and to remain there for some time; and, on this account, you have humbly requested us to honour you with our letters: Wherefore, considering, what we have long known, how highly you have deserved of the Apostolic See, and confiding in that prudence and discretion, which, in matters of the greatest moment, and in circumstances connected not only with the duties of your office, but also with your reverence for the Holy See, we have so frequently witnessed; wishing, moreover, to give you the advantage of these our testimonial letters, We, by these presents, make known to our beloved in

tuos principes, regem et reginam Angliæ, fidelissimâ affectione et religionem catholicam promovendi desiderio, nobis semper charus fuisti. Ideo dignum duximus ut tibi nomine nostro mandaremus, quatenùs cum in regnum Angliæ salvus (quod optamus) perveneris, illud imprimis et ante omnia præ oculis habeas, ut pacem, unionem, et concordiam inter dissidentes catholicos (si quæ fortè dissentionis reliquiæ maneant) componere coneris, utque nomine nostro, imo potiùs apostolico, horteris, ut, non alta sapientes sed humilibus consentientes, unanimes in domo Domini ambulent, religionis catholicæ augmentum sincerè et apostolico modo procurent, principibus suis amorem ac debitam reverentiam atque obedientiam exhibeant, ut conversationis sanctæ et timoratæ inimici nostri sint judices; tum deinceps ut omnes, qui nomine catholicorum gaudere volunt, in Domino horteris ut nihil committant quod pacem publicam turbare, principes et magistratus offendere, religionem nostram odiosam et suspectam reddere possit, sed ut quæ sunt Dei Deo reddant, ut quæ sunt Cæsaris Cæsari non subtrahant, quæ statum concernunt religionis negotio quod alienum ab eo est non permisceant, ne tanquam seditiosi et proditores patriæ (quod in omnibus turpe, in ecclesiasticis crimen, est, et nefarium flagitium) puniantur, sed, si pro nomine Jesu contumeliam patiantur, gaudium reputent et lucrum. Volumus insuper et tibi mandamus ut, si commodè et sine offensione regis serenissimam ejus conjugem convenire poteris, illi nomine nostro significes S.D.N. regiam majestatem omnibus paternæ pietatis officiis, prout occasio sese obtulit, semper coluisse, nihilque prius in votis habere quàm

Christ, the Very Reverend George Blackwell, archpriest of England, and to all whom it may concern, that, by your reverence for the Apostolic See, by your faithful affection for your princes, the King and Queen of England, and by your ardent desire for promoting the cause of religion, you have ever rendered yourself most dear to us. Hence, we have thought it well to give it to you in special charge from ourselves, that, on your arrival in England, your first attention be directed to establish peace, and union, and concord amongst those Catholics who may still chance to be at variance, and that, in our name, or rather in the name of his Holiness himself, you exhort them to *mind not high things, but condescend to the humble*,—to walk with one mind in the house of God,—to promote the cause of religion in sincere and apostolic simplicity,—to exhibit all becoming attachment, and reverence, and obedience to their rulers, and thus to enable the very enemies of our faith to become judges of their holy and conscientious behaviour. We wish you, moreover, to entreat all who would deserve the name of Catholics, to commit no act which may disturb the public peace, which may offend their princes and magistrates, or bring their religion into hatred and suspicion; but to render to God the things that are God's, to Cæsar the things that are Cæsar's, and to abstain from mixing up the concerns of religion with the foreign affairs of state; that so they may never be exposed to the punishment of seditionaries and traitors (which in all were a disgrace, in churchmen a crime, and an atrocious wickedness), but may be able, should they suffer

eundem regem, quem Deus pro infinitâ suâ bonitate, serenissimæ felicis memoriæ matris ejus precibus, ad amplissimum regnum terrenum evexit, ita in hoc mundo mystico ejus corpori, quod est ecclesia, incorporatum cernere, ut regnum sempiternum consequatur; et paratissimum esse omnia ea, pro suâ in catholicos authoritate, facere, quæ serenissimæ suæ majestati securitatem suæ personæ et statûs procurare possunt, eosque omnes è regno evocare, quos sua majestas rationabiliter judicaverit regno et statui suo noxios fore; nihil denique velle omittere eorum officiorum quæ sanctissimi ejus predecessores erga serenissimos reges Angliæ, optimè semper de sede apostolicâ meritos, exhibuerunt; ut tandem serenissimus rex clarè perspiciat quantis paternæ charitatis visceribus S. D. N. regiam majestatem complectatur, cupiatque omnibus quibus poterit modis honorare, ut longam vitam, quietum regnum, populum fidelem, et tranquillum statum obtineat. Denique, ita teipsum gerere in omnibus desideramus ut virum ecclesiasticum decet, qui, apud sedem apostolicam enutritus, mores et pietatem illius sedis à teneris annis imbibisti, et qui longâ et diuturnâ conversatione in urbe conscius es quantis votis et suspiriis beatissimus pater bonum et felicitatem illius regni desideret, quod prædecessores ejus ob singularia in sedem apostolicam merita unicè coluerunt. Proindè satagito, ut in tuâ conversatione eluceat eò tantummodo tendere S^{i}. D^{i}. N^{i}. in alendis et enutriendis seminariorum alumnis liberalitatem, ut Christo Domino animas lucretur, et per omnimodam principum obedientiam felicissimum regni illius statum procuret. Quod Christus Dominus pro suâ misericordiâ con-

reproach for the name of Jesus, to consider it a joy and a gain. Further, we will and command you, if, without offence to the King, you can obtain admission to the presence of his royal consort, to assure her, from us, that our Holy Father has sought every occasion to manifest, by his actions, that paternal regard which he entertains for the King's Majesty: that no wish was ever nearer to his heart, than that he might see this same king, whom God, in his infinite goodness, and moved by the prayers of his royal mother, of happy memory, has already raised to a most powerful earthly kingdom, so united in this world to the mystical body of the church, as to secure the possession of a heavenly kingdom likewise: that he is ready to employ whatever authority he possesses over the Catholics, in promoting any measures which may conduce to the security either of the royal person or of the commonwealth, and will even withdraw from the country any of the missionaries of whose loyalty his highness may have conceived any rational suspicion: in a word, that he wishes to omit no office of friendship or affection, which his predecessors have ever performed towards the sovereigns of England, princes who have so highly deserved of the Holy See; and is anxious to let his majesty perceive with what sincere affection he embraces him, how perfectly he honours him, and how ardently he wishes him a long and happy life, a peaceful reign, a faithful people, and a state undisturbed by foreign or domestic broils. Finally, we wish you so to conduct yourself as becomes an ecclesiastic, who, having been educated from infancy in the holy city, has imbibed the piety of the

cedere dignetur. Datum Bruxellis in palatio nostro, anno 1603, kalend. Augusti.

Octavius, episcopus Tricaricensis, etc. etc.

Apostolic See, has become familiar with its rules of life, and knows, from long and constant experience, how fervently the Holy Father desires the prosperity and happiness of that kingdom, to which, by so many titles of gratitude and affection, his predecessors were pre-eminently attached. In conclusion, be careful to let your life and conversation be such, as to convince the world that, in supporting the foreign seminaries, the Holy Father has no other object but to gain souls to Christ, and, upon the principle of entire obedience to the sovereign, to secure the permanent happiness of that kingdom;—which may Christ our Lord, in his mercy, vouchsafe to grant!—Given in our Palace at Brussels, August 1, 1603.

OCTAVIUS, Bishop of Trica, &c. &c.

No. II.—(Referred to at page 38.)

Garnet to Persons, April 16, 1603.

[Original, Stonyhurst MSS. Ang. A. iii. 32.]

My very loving sir,

Since my last to you of the sixteenth of March, there hath happened a great alteration, by the death of the queen. Great fears were: but all are turned into greatest security; and a golden time we have of unexpected freedom abroad. Yet prisoners are kept very rudely by their keepers; belike, because there is, as yet, no authority to release them. The king's coming is uncertain. Yesternight came letters from him; but were not to be opened until this day. Great hope is of toleration; and so general a consent of Catholics in his proclaiming, as it seemeth God will work much. All sorts of religions live in hope and suspense; yet the Catholics have great cause to hope for great respect, in that the nobility all almost labour for it, and have good promise thereof from his majesty: so that, if no foreign competitors hinder, the Catholics think themselves well, and would be loath any Catholic princes or his holiness should stir against the peaceable possession of the kingdom.

If a nuncio were addressed from his holiness, to have some conference with the king, I think it would be to good effect, and I suppose he would admit him. The council and himself will be very willing to [have] peace with Spain, which, no doubt, will be to great good: and I hope, in time, we shall have, not only Mr. Mush's "post" and "pace,"

but *Flush* also, to make up a good rhyme. Only, there are some threats against Jesuits, as unwilling to [acknowledge] his majesty's title, ready to promote the Spaniard, meddling in matters of state, and authors, especially, of the Book of Succession. But the principal Catholics, upon so long experience, have another manner of conceit, and labour to work as good a conceit also in the king and the lords, as of themselves. Jesuits, also, besides their procuring to talk with his majesty in Scotland (which I know not yet whether it was effected or no; and it seemed he had, a year ago, some hard conceit), they also have written a common letter, to be shewed, as written to a gentleman of account, wherein they yield reasons why they are to be trusted and esteemed, as well as others. You shall see it, when it is gone, and know the effect.

There are divers priests banished from Framlingham. Some of our friends are there. I wish H. Floyd [to] go to Joseph, and so I write, because he hath the language, and may be there directed by you, instead of 518, which Joseph required. One of my letters was taken lately and deciphered, by reason of the nakedness of the alphabet, and want of nulls. I will send you another; for many words were also found, and so it is not good to use the old: though, hereafter, we shall not need, I suppose, to write in cipher, if we may have toleration; for, you know, what we wrote in cipher was but to cover our business of religion.

I pray you write to Joseph of these things; for by this means I cannot. It is very grateful here to Catholics, to hear that Spain sought nothing here, but to set up a Catholic king: and so they think it will put the king out of fear, and a happy peace will be. Thus humbly saluting you, and Claud, and all, I cease, 6 April.

King James to his Ambassador, Sir Thomas Parry, 1603 *or* 1604.

[Copy in the handwriting of Sir Joseph Williams's secretary, in the State Paper Office.]

Accepimus, unà cum postremis tuis literis, etiam eas quas nuncius pontificis Romani, Lutetiæ jam degens, ad nos misit; itemque alias quas ad ipsum nuncium cardinalis Aldobrandinus conscripsit: cumque, in illis à nuncio ad nos literis, nonnulla pontificis ipsius nomine significentur quæ ad nos pertineant, Nos quidem hisce literis nostris temet vicissim instruendum atque informandum censuimus, quò rectiùs et commodiùs nostro nomine ipsi nuncio responsionem reddas.

We have received your last letters, and with them those which the nuncio at Paris has written to us, as well as some others which Cardinal Aldobrandini has addressed to the nuncio himself: and since, in the nuncio's letters to us, there are some messages from the Pope in which we are concerned, we have thought it necessary hereby to give you such instruction and information as will enable you more correctly and properly to return an answer in our name.

Quamobrem illi declarabis de pontificis Romani honorificâ in nos sincerâque benevolentiâ, cùm in isto negotio, tùm in aliis nonnullis longè antehac, tam magna indicia

Wherefore, with regard to the honourable and unaffected goodwill of the Roman Pontiff, manifested towards us, as well in the present, as in some former in-

atque argumenta nos accepisse, illiusque curam in omnibus periculis (domi forisve nobis imminentibus) propulsandis adeo nobis perspectam cognitamque esse, ut fateri necesse habeamus, nihil nobis eâ voluntatis significatione gratius esse potuisse, nec quenquam ipso nuncio magis idoneum aut commodiorem nobis videri, cujus operâ ad res transigendas utrinque utamur. Quanquam enim non ignari unquam fuimus quanti illius amicitia æstimanda sit (utpote principis magnâ dignitate atque amplitudine præditi), tamen animus nobis (ut verum fateamur) ancipiti curâ et dubitatione distrahebatur, sedulò cogitantibus (si quidem veræ solidæque amicitiæ tuendæ confirmandæque rationem aliquam inire vellemus) quemadmodum ea incommoda devitare possemus, quæ sæpissimè principibus accidunt, partim imbecillitate, partim malitiâ eorum hominum, quorum opera in ejusmodi negotiis interponitur. Quâ dubitatione uti nos liberati jam sumus, interpositâ illius hominis operâ, quem cùm erga omnes rectè laudabiliterque se gessisse, tùm erga nos optimè affectum animatumque esse satis constat, sic (quò clarius et luculentius nostræ de illo rectissimæ opinionis testimonium habeat) illi nunc significabis, nobis placere ut non solùm de omnibus rebus certior fiat, quæ nostram istius regni possessionem antecessere (cujus consilii occasionem nobis præbuere tùm literæ quas ante obitum Reginæ, tùm nuncius quem à pontifice ipso quidam è subditis nostris ad nos attulit), verùm etiam ut omnia, quæ posthac inter nos ac pontificem erunt transigenda, illius fidei prudentiæque committantur :— Quæ cùm ex optimâ sincerâque mente proficiscentur, Deo, uti speramus, hominibusque probabuntur.

stances, you will assure the nuncio that we have seen so many proofs of it, and are so convinced of his anxiety to shield us from every impending danger, whether foreign or domestic, that nothing, we must confess, could have been more grateful to our feelings than this renewed expression of his goodwill,—as no person, most assuredly, could have been selected more fitted to discharge the duties of a mutual agent than the nuncio himself. For, although, looking at the dignity and authority of the Pontiff, we were never ignorant of the value of his friendship, yet, to say the truth, when we came to consider the means of forming and cementing a solid and lasting amity, we had our doubts and misgivings as to the possibility of avoiding those difficulties, which princes too often experience from the imbecility or the malice of their agents. But as this apprehension is now removed by the appointment of a man, whose conduct towards all is known to have been as meritorious as his affection towards ourselves is undoubted, so, that he may have a distinct evidence of the esteem in which we hold him, we have determined not only to make him acquainted with everything that preceded our accession to the throne of this kingdom (a determination suggested as well by the letters which we received before the death of the Queen, as by the message which was conveyed to us from the Pope himself by some of our subjects), but also to entrust to his fidelity and prudence the management of whatever transactions may hereafter pass between the pontiff and ourselves,—transactions which, as they will assuredly have their origin in sincerity of mind and heart, so, we trust, they will be approved by God and man.

Quòd verò attinet ad ea mandata (sive articulos), quorum particulatim Romani pontificis nomine significatio facta est,—nimirùm, de causis cur pontifex legatum ad nos non mittendum censuerit; de revocandis è regno nostro omnibus papistis sive catholicis qui animo inquieto et turbulento sint, deque iis excommunicandis qui illi morem non gesserint; de excusatione Cardinalis Aldobrandini ab eâ calumniâ, quæ circa Ducem Parmensem illi imposita est; de supplicationibus pro salute nostrâ Romæ factis; denique de certo quodam homine ex parte nostrâ designando et constituendo, quîcum nuncius ipse, ut occasio dabitur, de rebus communibus animi sui sensa consiliaque communicet, — Primùm quidem generatim nostro nomine, verissimèque affirmabis, cum benevolentiæ studiique inter principes ea summa firmissimaque sint argumenta quibus ejusmodi officia deferuntur, quæ honoris atque humanitatis partes quàm maximè attingunt, Nos eo animo esse, ut in referendâ gratiâ, paribusque officiis persolvendis, nihil unquam prætermittere aut negligere velimus, quod a rege christiano viroque probo præstari deceat.

Deinde ad res singulas separatim quod attinet, pontificis Romani consilium de legato non mittendo ita probamus, ut summo argumento et prudentiæ et benevolentiæ nobis sit, cum eam cæremoniarum solemnitatem prætermiserit, quæ fortassis rem ipsam, id est, amicitiæ jungendæ rationem, magnoperè perturbare potuisset. Neque enim sine magnâ animi nostri molestiâ prætermissuri fuissemus erga ipsius legatum ea honoris atque humanitatis officia, quæ ab aliis regibus pontificum legatis præstari soleant, neque, si ea præstari omninò vellemus, gravem offensionem effugere

With regard to the instructions, or articles, of which particular mention is made on behalf of the Pontiff,—namely, the reasons of his not having sent a legate to us, the withdrawing from the country of all turbulent or ill-disposed Catholics and the excommunicating of such as shall refuse to obey, the defence of Cardinal Aldobrandini from the calumny concerning the Duke of Parma, the prayer offered at Rome for our safety, and finally the appointment, on our part, of some special person, with whom the nuncio may open his mind, as occasion shall offer, on our common concerns,—as to all these matters, you will, in the first place, answer generally, what is certainly most true, that, as those are the strongest evidences of good-will and affection among princes which are the most intimately associated with respect and courtesy, so, in making our acknowledgments and discharging other similar duties, we are resolved to omit nothing which may become the character of a Christian king and an honourable man.

Then, as to the particular points, —in the first place, the resolution, on the part of the Pontiff, of not sending a legate, we regard as an evidence both of his prudence and of his good-will; inasmuch as, by so doing, he has omitted a formality which might have seriously obstructed our great and principal object of establishing a mutual friendly understanding. To have withheld from the legate those marks of courtesy and respect which would have greeted him at other courts, would have been most painful to our feelings: and yet to have received him with the

nobis licuisset, quæ, propter eam religionis professionem quæ aliis conditionibus nos divinxit, necessariò fuerat subeunda.

Quòd verò longè alio numero se habiturum profitetur eos catholicos, qui, religionis tantummodo studiosi, conscientiæ adhærescunt, atque illos qui rerum perturbandarum cupidi sunt, et perniciosis consiliis atque machinationibus se dedúnt,—in eo judicii illius æquitatem libenter agnoscimus; AD EAMQUE NORMAM *nos authoritatem potestatemque nostram* (quam proximè et secundum Deum in omnes subditos nostros habemus) *ita accommodabimus*, ut neque in ipsius Romani pontificis, neque in alterius cujusquam hominis, reprehensionem (qui recti sanique judicii sit) regni nostri administratio justè ac meritò incidere possit; omnesque perspiciant, quæ generatim aut particulatim facimus facturive sumus, ea non sine summâ perturbatione ac ruinâ rei, tùm privatæ tùm publicæ, à nobis prætermitti vel remitti posse: Ad quam quidem stabiliendam tuendamque, Deum ipsum testamur, nos providâ et moderatâ administratione, atque æquabili justitiæ et lenitatis temperamento omnes conatus ita adhibere, ut ipsa invidia ne minimam quidem adversus nos calumniæ causam unquam habitura sit.

Ad Cardinalem Aldobrandinum quod attinet, ejusque tùm significationem communis erga nos in civitate Romanâ studii ac benevolentiæ, tùm excusationem adversus eas calumnias, quibus de illius erga nos animo malevolo infestisque consiliis rumores sparsi sunt, illum quidem certiorem fieri volumus, alterum, propter hominum benè de nobis sentientium voluntatem, nonnullam nobis jucunditatem attu-

customary attentions could scarcely have failed to give offence to those, whose sentiments on such matters our religious connections bind us to respect.

The different estimation in which the Pontiff promises to hold the conscientious professors of his religion, and those who are intent only on disturbing the state, and working out their own pernicious designs, affords an evidence, which we willingly acknowledge, of the equitable principles by which he is guided:—And BY THE SAME RULE, *we* also will *so employ the authority* which God himself has given to us over all our subjects, that neither the Pope of Rome nor any other man of reasonable judgment shall ever have ground to complain of the administration of our kingdom; while, on the other hand, it shall be evident to all, that, to whatever measures we may resort, whether general or particular, we will be influenced only by that necessity which our own protection and the safety of the commonwealth shall inevitably impose. Nor shall malice itself find an opportunity for complaint. An administration at once prudent and moderate, a justice tempered with mercy, shall distinguish every effort to strengthen the security of the people and of the throne.

With regard to Cardinal Aldobrandini,—to his mention of the general affection for our person which exists in Rome, and to his defence against the false reports which have charged him with hatred and hostility to our person, we wish him to be assured that the former, as expressing the wishes of men who entertain a favourable opinion of us, has given us no small degree of pleasure; while the latter, as

lisse, in altero, curam studiumque illius ut nobis satisfaciat, omnemque dubitationem tollat, pergratum nobis esse: neque verò apud nos istiusmodi rumoribus et inventis quidquam est contemptius, non solùm propter res ipsas, cum pertentantur, inanissimas quidem et absurdissimas, sed quòd nobis incredibile videatur hominem quemquam, prudentiâ et honore præditum, tam inconsiderato animo esse, ut in hujusmodi malitiosis et in omnibus commentis studia et cogitationes velit defigere.

Denique quod propositum est de homine quodam constituendo, qui cum ipso nuncio (ut occasio postulabit) consilia conferat, facit quidem illa opinio, quam de fide et integritate ipsius nuncii concepimus, ut facilè assentiamur, impromptuque responsio sit; ob eamque causam tibi ipsi mandamus atque authoritatem concedimus, ut, omnibus temporibus (quotiescumque utrique vestrum, et quoquo modo videbitur), cum illo de rebus nostris communices:—Atque hæc quidem pro responsione satis sint ad ea, quæ ab ipso nuncio sunt allata.

Reliquum est ut illud paucis attingamus, quod ad rerum præteritarum narrationem pertinet: in quibus primo loco nobis occurrit excusatio nostra, justis de causis à nobis proponenda, quòd ad eas pontificis literas, quas subdito nostro Jacobo Lindsæo, equestris ordinis viro, ad nos perferendas dedit, hactenùs responsionem non fecerimus:—Deinde, mandata ipsa quæ Lindsæus à nobis tum temporis accepit, ipsi nuncio impertienda censemus; nec alienum erit ab illo intelligi quantum etiam ei tunc discedenti privatim concrediderimus.

Itaquè illi declarabis, quemadmodùm, paucis antea mensibus

containing an evidence of his anxiety to give us satisfaction, and to remove every doubt or difficulty from our mind, is equally grateful to our feelings. Not, indeed, that anything can be more contemptible in our eyes than rumours and fabrications of this kind. The charges themselves, when examined, always prove to be empty and absurd in the extreme; and, for any one who pretends to prudence or honour, to be so thoughtless as to pay attention to such malicious inventions, appears to us to be utterly incredible.

Finally, as regards the appointment of some special person, to confer, when necessary, with the nuncio, our opinion of the good faith and integrity of that minister leads us at once to assent to the proposal, and to return an answer without delay: and, for this reason, we hereby command and authorize you, at all times, and as often, and in whatever manner it shall appear fitting to you both, to communicate with him on our common affairs.—This, we conceive, will be a sufficient answer to the several points proposed by the nuncio.

It remains now that we shortly touch on the history of past events. Among these, the first is our well-founded excuse for having returned no answer to the letter transmitted to us by the Pope through our subject, Sir James Lindsey. In the next place, we think it desirable to inform the nuncio of the instructions which Lindsey received from us at that time; nor will it be foreign to the subject to acquaint him with the extent of the commission with which, at his departure, we privately entrusted that person.

You will therefore explain to him how the matter stood a few

quàm regina è vitâ excesserat, res processerit,—nimirum, pontificem ipsum Romanum subditum nostrum, quem paulò antea nominavimus, elegisse, eumque ad nos misisse cum literis benevolentiæ plenissimis; hanc porrò conditionem nobis ultrò detulisse, ut, quibuscumque in locis auctoritate aut viribus polleret, omnium conatibus sese opponeret, qui, quovis prætextu, jus nostrum in hujus regni possessionem impedire posse viderentur: addidisse præterea, si filii nostri curam atque educationem illius arbitrio permitteremus, eam se pecuniæ copiam in auxilium nostrum suppeditaturum, quæ ad nos in hoc regno, quod jam adepti sumus, stabiliendo abundè sufficeret.

Ad hæc, tam amicè nobis proposita et nunciata, non diffitemur nos eam responsionem reddendam censuisse, quæ, cum honori rationique esset consentanea, illius animo probaretur: ideoque nihil nobis opportunius visum est, quàm ut idem, quem ipse elegerat, responsionem nostram referret; eumque, longè ante reginæ sororis nostræ obitum, è Scotiâ confestim mittendum curavimus cum iisdem mandatis quæ, hisce literis conclusa, ad te perferentur: Unde satis poterit constare, animi nostri sensa et consilia ad pontificis Romani cognitionem longè antehac fuisse perventura, nisi morbus diuturnus illius hominis iter retardasset, atque inopinata mors reginæ interea consecuta, pariter ac noster in hoc regnum adventus, in eam opinionem illum induxisset, ut nos in mandatis, quæ vel scripto continebantur, aut ejus fidei privatim concredita sunt, quidpiam immutaturos putaret; ideoque in has regiones è Scotiâ nos secutus est, continuòque curiæ nostræ adhæsit, donec exploratissimum haberet

months before the decease of the queen,—namely, that the Pope, having selected our forementioned subject, despatched him to us with letters, filled with assurances of the most friendly character; that he voluntarily offered, wherever he possessed authority or power, to oppose the attempts of any person, who, on any pretext, might be thought capable of preventing our succession to the throne of this kingdom; and that he further added, that, provided we would entrust the care and education of our son entirely to him, he would supply us with such pecuniary aid as should abundantly suffice to establish us in the possession of the kingdom which we have now obtained.

We acknowledge that, to offers made in so friendly a manner, we thought it necessary to return such an answer, as, whilst it should be conformable to the principles both of honour and of reason, might, at the same time, be satisfactory to the mind of the pontiff: and, as nothing seemed more favourable to this object than to forward our reply by the same hand which had been selected by the Pope to convey the letter, we immediately ordered the messenger to return, and despatched him, long before the death of the queen, with the instructions which we here enclose for your information. Hence you will perceive that our sentiments on the matters in question ought long since to have reached the court of Rome: but, unfortunately, the illness of Lindsey retarded his journey; the unexpected death of the queen, with our own accession to the English throne, followed; and from these events he was led to suppose that we might wish to modify the instructions, whether written or verbal, which we had

nihil reliqui esse quod amplius illi in mandatis daretur.

Cum igitur quæcumque nunc, aut scriptis aut illius fidei commendata, secum defert, eadem prorsùs omnia in Scotiâ priùs habuerit, pontifici quidem Romano perspicacissimum fore arbitramur, nec benevolentiam erga illum nostram propterea refrixisse quòd responsio nostra tardiuscula ad illum perveniat, neque hanc fortunarum et dignitatis nostræ accessionem ullam in nobis voluntatis mutationem effecisse, quominùs omni honore atque observantiâ, quæ civilibus officiis continetur, illum prosequamur. Cumque illi subdito nostro è Scotiâ discessuro multa concrediderimus, quæ illius fidei et memoriæ potiùs quàm literis erant committenda, nobis itidem percommodum videtur, ut, tùm instructiones sive mandata, quæ illi dedimus, cum ipso nuncio communicentur, tùm etiam quidquid, pro pleniori articulorum intellectu, ejus verbis et relationi concreditum est, illud per te ipsum nuncio accuratiùs explicetur; ne, si quid fortè illi subdito nostro (ut est valetudinarius) humanitùs acciderit, aut quidpiam aliter mente animoque conceperit quàm illi traditum est, nostri instituti ratio non satis commodè intelligatur; quæ quidem tam simplex sinceraque est, ut intimos animi nostri sensus aperiat, parique vicissim simplicitate ac sinceritate nobiscum agi credat.

Primùm igitur, quod ad eas rationes attinet, quibus adducti sumus ut à literis ad ipsum pontificem conscribendis nosmet contineremus (quas quidem rationes ejus fidei, qui à nobis mittebatur, exponendas commisimus), pares

previously delivered to him. Under this impression he followed us from Scotland, and remained here until he had fully ascertained that no alteration was to be made in his commission.

As, however, both the formal and the private instructions which he now takes with him, are the very same which he had previously received in Scotland, it must, we think, be evident to the pontiff, that, notwithstanding the somewhat dilatory appearance of our answer, our affection for him has not decreased; and that the accession of power and dignity which we have obtained has produced no change in our inclination to treat him with all temporal honour and respect. Meanwhile, it will be desirable to guard against any mistake as to the nature of our intentions, which not only embody all the simplicity and sincerity of our heart, but are also formed on the conviction that we shall be met in a corresponding spirit on the other side. The instructions delivered to Lindsey, though partly written, were, in many instances, entrusted only to his fidelity and memory. Now, his health is precarious; his life is uncertain; his conception of our meaning may have been imperfect; and, therefore, we deem it prudent for you to lay distinctly and accurately before the nuncio, not only the general points committed to his management, but also the particular verbal instructions by which these were to be more fully explained.

First, then, as to the reasons which have induced us to refrain from addressing letters immediately to the Pope,—reasons which we have charged our messenger to explain — they are of the very same nature as those which led us

eædemque ferè cum illis sunt quas superiùs expressimus, cum pontificis consilium probavimus, quòd à legato ad nos mittendo sibi temperaret. Nam quæ inter principes literæ intercedunt, eæ tam accuratâ et diligenti trutinâ solent expendi, ut è duobus alterum esset necesse,—vel mentis nostræ conscientiam vulnerare, nostramque existimationem apud alios principes ac populos, qui eandem nobiscum religionem profitentur, violare (siquidem in literis nostris pontifici omnes honoris titulos quos sibi vindicat nos tribuissemus), vel offensionis causam, quam evitare magnoperè cupimus, illi præbere, si quæ jure sibi deberi putat nos minùs concederemus.

Jam verò de filii nostri educatione (re quidem maximi momenti et ponderis), quæ rationes tum temporis redditæ sunt, easdem nunc quoque ita cupimus explicari, ut clarissimè intelligantur:—Ac primùm quidem, ab ipsis naturæ legibus abhorrere ut, cum nosmetipsi à primis incunabulis religione longè diversâ instituti atque imbuti simus, filium nostrum in contrariam planè disciplinam tradamus, de cujus veritate nunquam satis potuit nobis persuaderi:

Deinde (quod omnibus luce meridianâ clarius est) si quidem nosmetipsi, ullâ de causâ quæ nos privatim attingat, assensum præbere vellemus, considerandum tamen esse, illum non nobis solummodò ut parenti filium, sed populo nostro ut regni hæredem, natum susceptumque esse; ex quo efficitur, ut, præter patriam in illum nostram potestatem, regni nostri status quamplurimum in illo sibi vindicet. Hac igitur de re, quæ tùm conscientiæ tùm incolumitati nostræ prorsùs adversaretur, sen-

to applaud the prudence of the pontiff in omitting to send a legate to our court. For the letters which pass between princes are commonly subjected to so severe and accurate a scrutiny, that one of two things must inevitably have followed:—either we must have violated our conscience, and damaged our reputation in Protestant countries, by giving to the pontiff all those titles of honour which he claims; or, what we earnestly desire to avoid, we must have offered him a serious ground of offence, by withholding those distinctive appellations to which he believes himself to be justly entitled.

With regard to the education of our son,—a matter, indeed, of the deepest and most serious importance,—we are anxious that the reasoning into which we entered at the time, should now be so distinctly set forth, that no misunderstanding may exist upon the subject.—And, in the first place, it is plainly opposed to the very laws of nature, that, having ourselves been educated in a different religion, we should now hand over our son to be trained in the principles of a belief, of whose truth we could never be persuaded.

Again, even supposing that, for any object of private consideration, we could be induced to lend our assent to such a proposal, still, we must remember that he stands, not only to us in the relation of a child to its parent, but also to the people in that of successor to the crown. The paternal authority which we exercise, exists only in conjunction with that important interest which the nation possesses in him: and, therefore, in a matter opposed alike to the dictates of our conscience, and to the safety of the throne, we

tentiam nostram sine ullâ cunctatione aut hæsitatione planè et præcisè exprimi jussimus.

Quod sequitur de multis magnisque benevolentiæ erga nos officiis, quæ pontificis Romani ad nos literis continebantur, non aliam responsionem efflagitat, præter eam quam initio diximus ipsi nuncio esse reddendam.

Postremò, quod ad eam in mandatis clausulam attinet, quæ verbis quibusdam illi, qui à nobis mittebatur, ampliorem largiri videtur potestatem, ut nostri instituti et propositi rationem liberiùs ac fusiùs explicet, ea certè (ut paucis complectamur) hunc habet sensum atque hanc sententiam,—nimirum, Nos ex eâ religione quam profitemur tantum solatii hausisse, tamque suaves tranquillæ mentis et conscientiæ fructus percepisse, ut ratum firmumque nobis sit, ab eâ non divelli, nisi evidentissimis omnique luce clarioribus argumentis impellamur. *Neque tamen, propter nostram in hac religione tuendâ constantiam, eò adducimur, ut adversus quamplurimos è subditis nostris, qui contrariam opinionem animis imbiberunt, nimiâ severitate atque acerbitate animi commoveamur; quibus ut justitiæ, pacis, et tranquillitatis, cæterisque administrationis nostræ commoditatibus (perindè atque aliis subditis nostris) perfrui liceat, non gravatè concedimus; dummodo, sub fictâ et adumbratâ religionis specie, perfidiam et perniciosa erga nos consilia non occultent.* Atque utinam (quod nobis semper in votis fuit) generali consilio, justè legitimèque indicto et convocato, ea ratio iniretur, curaque susciperetur, quâ omnes contentiones et controversiæ sedari et componi possent: unde liqueret in quâque doctrinâ quid antiquitati, quid primis purioribusque ecclesiæ

instantly and without hesitation commanded our sentiments to be clearly and explicitly stated.

For the many and the important assurances of friendship and friendly offices contained in the pontiff's letter, it will be sufficient to make the same general acknowledgment which we began by desiring you to offer to the nuncio.

Finally, to speak of that clause in the instructions which, from some of its expressions, would seem to invest the messenger with too extensive a power in the interpretation of our views and intentions, its meaning, in a few words, is simply this,—that we have derived so much consolation, so much peace of mind and heart, from the religious belief which we profess, that nothing short of the strongest and most incontrovertible arguments shall ever prevail on us to abandon it. *Not that our attachment to our own creed shall ever induce us to act with harshness or severity towards that numerous body of our subjects who have adopted a contrary faith. Let them be sincere in their religion, let them not use it as a cloak to conceal their pernicious and treasonable devices, and there are no advantages of justice, of peace, or of protection, enjoyed by their fellow-citizens, which shall not be extended freely and equally to them.* Much, indeed, do we wish, ardently have we ever desired, that, by means of a council properly and legitimately convoked, an end might be put to all contentions and controversies in religion; that so, in each disputed point, we might be able clearly to distinguish the teaching of antiquity from the inventions of modern innovators; the doctrines which, confirmed by scripture, were received in the first and purer ages of the church, from

christianæ temporibus consentiat, quid denique ex hominum inventis nuper enatum exortumque sit; quod uti nos ex naturæ quodam sensu nostro penitùs aversamur, ita quæcumque ab antiquis temporibus in ecclesiâ recepta sunt, verbique divini authoritate comprobata, ea religiosissimè tuenda et observanda censemus. Tantumque abest ut studiis partium feramur, aut præjudicatæ opinioni pertinaciter adhærescamus, ut nihil exoptandum magis putemus, libentiùsque probaturi simus, quàm communem et uniformem in omnibus Dei cultum, non hominum corruptelis penitùs inquinatum, non divinis legibus repugnantem; ex quo ecclesia jucundissimos pacis et tranquillitatis fructus percipiat, et ad communem infestissimumque Dei omniumque christianorum hostem propulsandum et debellandum vires acquirat.

those which, emanating from man, have had their origin only in these later times. To the former we are of course attached by every feeling of religion; from the latter the very principles of our nature teach us to recoil. Yet we are the creature neither of party nor of prejudice; nor is there anything that we consider more desirable, anything which we would more willingly approve, than one common, universal form of worship, unsullied by the corruptions of man, unopposed to the ordinances of God, and imparting to the church, together with the blessed fruits of peace and tranquillity, that strength which will enable her effectually to overthrow the common enemy of God and mankind.

Atquæ hæc quidem sunt quæ hactenùs, primùm postremùmve, de isto negotio communicanda existimavimus. Quæ cum ita sint, quanquam, ex optimâ mentis conscientiâ, adversus omnem suspicionem aut calumniam nobis satis obfirmatus est animus, tamen unum modò restat quod ipsum nuncium rogatum velimus,—ut quotiescumque homines malevoli falsis rumoribus, fictisque criminationibus, labem nostris consiliis actionibusque aspergere conantur, tantisper assensum velit sustinere, dum nostram responsionem acceperit; idque nos vicissim erga illum pari ratione facturos pollicemur.*

Such, then, are the instructions which, hitherto and at different times, we have given upon this matter. Of course, fortified as we are by the consciousness of our own sincerity, our mind would not be easily disturbed either by the suspicions or the calumnies of our enemies. Yet there is one request which we would make to the nuncio:—When, by their false reports and slanderous accusations, the malevolent seek to injure the character of our actions and intentions, let him withhold his judgment for a while, let him wait for our reply; and we promise him that, as regards himself, we will deal with him in the same manner.

* [I avail myself of this open space, to observe that the present letter affords an additional illustration of that hypocrisy on the part of James, to which I have elsewhere directed the reader's attention (Tierney's Dodd, iv. 9). How far its declarations, particularly as regards the education of the young prince, agree with the instructions given to Lindsey before the death of Elizabeth, is uncertain: but its acknowledgment of the services rendered by Pope Clement to the cause of the monarch, and of the pontiff's anxiety to cut off every source whether of danger or

No. III.—(Referred to at page 39.)

The Catholics' Supplication unto the King's Majesty, for toleration of Catholic Religion in England. 1603.

[Printed Copy.]

Most puissant prince and orient monarch.

1°. Such are the rare perfections and admirable gifts of wisdom, prudence, valour, and justice, wherewith the bountiful hand of God's divine majesty hath endued your majesty, as, in the depth of your provident judgment, we doubt not but you foresee what concerneth both the spiritual and temporal government of all your kingdoms and dominions.

2°. Notwithstanding, your grace's most afflicted subjects and devoted servants, the Catholics of England, partly to prevent sinister informations which happily may possess your sacred ears before our answer be heard, partly almost as men overwhelmed with persecutions for our consciences, we are enforced to have speedy recourse, in hope of present redress from your highness, and to present these humble lines unto your royal person, to plead for us some commiseration and favour.

3°. What allegiance or duty can any temporal prince desire or expect at his vassals' hands, which we are not addressed to perform? How many noblemen and worthy gentlemen, most zealous in the Catholic religion, have endured, some loss of lands and livings, some exile, others imprisonment, some the effusion of blood and life, for the advancement of your blessed mother's right unto the sceptre of Albion? Nay, whose finger did ever ache, but Catholics', for your Majesty's present title and dominion?

4°. How many fled to your court, offering themselves as hostages for their friends, to live and die in your grace's quarrel, if ever adversary had opposed himself against the equity of your cause? If this they attempted with their prince's disgrace, to obtain your Majesty's grace, what will they do,—nay, what will they not do, to live without disgrace in your grace's favour?

5°. The main of this realm, if we respect religion (setting petty sects aside), consisteth upon four parts,—Protestants who have domineered all the former queen's days, puritans who have crept up apace among them, atheists or politicians who were bred upon their brawls and contentions in matters of faith, and Catholics who, as they are opposite to all, so are they detested of all, because error was ever an enemy to truth.

6°. Hardly all, or any, of the first two [or] three can be suppressed: and therefore we beseech your Majesty to yield us as much favour, as others of contrary religion to that, which shall be publicly professed in England, shall obtain at your hands. For, if our fault be like, or less, or none at all, in equity our punishment ought to be like, or less, or none at all.

of opposition to his government, are unequivocal; and it will be difficult to reconcile with these the pretended fears of papal interference, put forward by James as the justification of his proceedings against the Catholics.—*T.*]

7°. The gates, arches, and pyramids of France proclaimed the present king *pater patriæ, et pacis restitutor*, because that kingdom, being well nigh torn in pieces with civil wars, and made a prey to foreign foes, was, by his provident wisdom and valour, acquieted in itself, and hostile strangers expelled; the which he principally effected by condescending to tolerate them of an adverse religion to that was openly professed.

8°. Questionless, dread sovereign, the kingdom of England, by cruel persecution of Catholics, hath been almost odious to all Christian nations. Trade and traffic is decayed; wars and blood hath seldom ceased; subsidies and taxes never so many; discontented minds innumerable: all which your majesty's princely connivancy to your humble suppliants, the afflicted Catholics, will easily redress, especially at your highness' ingress. *Si loquaris ad eos verba lenia, erunt tibi servi cunctis diebus*, said the sage counsellors of Solomon to Rehoboam (3 Reg. xii. 7). For enlargement after affliction resembleth a pleasant gale after a vehement tempest; and a benefit in distress doubleth the value thereof.

9°. How grateful will it be to all Catholic princes abroad, and honourable to your majesty, to understand how Queen Elizabeth's severity is changed into your royal clemency; and that the lenity of a man re-edified that which the misinformed anger of a woman destroyed,—that the lion rampant is passant, whereas the passant had been rampant? How acceptable shall all your subjects be to all Catholic countries, who are now almost abhorred of all, when they shall perceive your highness prepareth not pikes and prisons for the professors of their faith, but permitteth them temples and altars for the use of their religion?—Then shall we see with our eyes, and touch with our fingers, that happy benediction of Isaiah (ii. 4) in this land, that swords are changed into ploughs, and lances into scythes. And all nations admiring us will say, *Hi sunt semen cui benedixit Dominus.*

10°. We request no more favour at your grace's hands, than that we may securely profess that Catholic religion, which all your happy predecessors professed, from Donaldus the first converted, unto your majesty's peerless mother last martyred:—

11°. A religion, venerable for antiquity, majestical for amplitude, constant for continuance, irreprehensible for doctrine, inducing to all kind of virtue and piety, dissuading from all sin and wickedness:—a religion, beloved by all primitive pastors, established by all œcumenical councils, upheld by all ancient doctors, maintained by the first and most Christian emperors, recorded almost alone in all ecclesiastical histories, sealed with the blood of millions of martyrs, adorned with the virtues of so many confessors, beautified with the purity of thousands of virgins, so conformable to natural sense and reason, and, finally, so agreeable to the sacred text of God's word and gospel. The free use of this religion we request, if not in public churches, at least in private houses; if not with approbation, yet with toleration, without molestation.

12°. Assure your grace that howsoever some Protestants or Puritans, incited by moral honesty of life, or innated instinct of nature, or for fear of some temporal punishment, pretend obedience unto your highness' laws, yet certainly only Catholics for conscience sake observe them. For they, defending that prince's precepts and statutes oblige no sub-

ject under the penalty of sin, will little care in conscience to transgress them, which principally are tormented with the guilt of sin: but Catholics, confessing merit in obeying, and demerit in transgressing, cannot but in soul be grievously tortured at the least prevarication thereof.

13°. Wherefore, most merciful sovereign, we, your long-afflicted subjects, in all dutiful submission protest, before the majesty of God and all his holy angels, as loyal obedience and as immaculate allegiance unto your grace, as ever did faithful subjects, in England or Scotland, unto your highness' progenitors; and intend as sincerely with our goods and lives to serve you, as ever did the loyalest Israelites king David, or the trusty legions the Roman emperors.

14°. And thus expecting your majesty's customary favour and gracious bounty, we rest your devoted suppliants to Him, whose hands do manage the hearts of kings, and with reciprocate mercy will requite the merciful.

Your sacred majesty's
Most devoted servants,
THE CATHOLICS OF ENGLAND.*

No. IV.—(*Referred to at page* 40.)

A Proclamation commanding all Jesuits, Seminary Priests, and other Priests to depart the realm. Feb. 22, 1604.

[Wilkins, iv. 376.]

Having, after some time spent in settling the politic affairs of this realm, of late bestowed no small labour in composing certain differences we found among our clergy, about rites and ceremonies heretofore established in this church of England, and reduced the same to such an order and form, as we doubt not but every spirit that is led only with piety, and not with humour, shall be therein satisfied, it appeared to us, in the debating of those matters, that a greater contagion to our religion than could proceed from those light differences, was imminent by persons common enemies to them both, namely, the great number of priests, both seminaries and Jesuits, abounding in this realm, as well of such as were here before our coming to this crown, as of such as have resorted hither since; using their functions and professions with greater liberty than heretofore they durst have done, partly upon a vain confidence of some innovation in matters of religion to be done by us, which we never intended, nor gave any man cause to expect, and partly upon the assurance of our general pardon, granted, according to the custom of our progenitors, at our coronation, for offences past in the days of the late queen; which pardon many of the said priests have procured under our

* [This supplication was republished by the celebrated Gabriel Powell, "with short notes or animadversions in the margin: whereunto is annexed parallelwise a Supplicatory Counterpoise of the Protestants, unto the same most excellent majesty: together with the reasons of both sides for and against toleration of divers religions. London. Imprinted by Felix Kyngston, 1603."—The "Counterpoise" is nothing more than a parody of the Supplication, printed on the opposite page. —*T.*]

great seal; and, holding themselves thereby free from the danger of the laws, do, with great audacity, exercise all offices of their profession, both saying masses, persuading our subjects from the religion established, and reconciling them to the church of Rome, and, by consequence, seducing them from the true persuasion, which all subjects ought to have of their duty and obedience to us. Wherefore, for as much as, by way of providence, to preserve their people from being corrupted in religion, piety, and obedience, is not the least part of royal duty, we hold ourself obliged, both in conscience and in wisdom, to use all good means to keep our subjects from being infected with superstitious opinions in matter of religion, which are not only pernicious to their own souls, but the ready way and means to corrupt their duty and allegiance; which cannot be any way so surely performed, as by keeping from them the ministers and instruments of that infection, which are the priests, of all sorts, ordained in foreign parts, by authority prohibited by the laws of this land; concerning whom, therefore, we have thought it fit to publish to all our subjects this open declaration of our pleasure.

That where there be of priests, at this present, within our kingdom (be they regular, or without rule), divers sorts, some in prison, some at liberty, and, of both, some having obtained our pardon under our great seal, and some having no such pardon; and again, some that were here before our coming into this realm, and some come hither since;—for all such as are in prison, we have taken order that they shall be shipped at some convenient port, and sent out of our realm, as soon as possible may be, with commandment not to return again into any part of our dominions, without our license obtained, upon pain and peril of the laws being here in force against them: and for all others, who are at liberty, whether having sued out our pardon or not (which we do advertise them, and all our subjects, that, extending only to matters done before the death of the late queen, [it] doth not exempt any priest from the danger of the law, for his abode here, since our succession to the crown, above the time by the statute limited),

We do hereby will and command all manner of Jesuits, seminaries, and other priests whatsoever, having ordination from any authority by the laws of this realm prohibited, to take notice, that our pleasure is, that they do, before the nineteenth day of March next ensuing the date hereof, depart forth of our realm and dominions; and that, for that purpose, it shall be lawful to all officers of our ports, to suffer the said priests to depart from thence into any foreign parts, between this and the said nineteenth day of March; admonishing and assuring all such Jesuits, seminaries, and priests, of what sort soever, that if any of them shall be, after the said nineteenth day, taken within this realm, or any our dominions, or, departing now, upon this our pleasure signified, shall hereafter return into this realm or any our dominions again, that they shall be left to the penalty of the laws here being in force concerning them, without hope of any favour or remission from us.

Wherefore we will and command all archbishops, bishops, lieutenants, justices of peace, and all other our officers and ministers whatsoever, to be vigilant and careful, after the said nineteenth day of March next, to do their duties and diligence in discovering and apprehending of all priests that shall remain here, contrary to this our declaration: which

though, perhaps, it may seem to some to presage a greater severity towards that sort of our subjects, who, differing in their profession from the religion by law established, call themselves Catholics, than, by our proceedings with them hitherto we have given cause to expect; yet doubt we not, but that, when it shall be considered with indifferent judgment, what causes have moved us to use this providence against the said Jesuits, seminaries, and priests, all men will justify us therein. For to whom is it unknown, into what peril our person was like to be drawn, and our realm unto confusion, not many months since, by a conspiracy first conceived by persons of that sort, who, having prevailed with some, had undertaken to draw multitudes of others to assist the same, by the authority of their persuasions and motives, grounded chiefly upon matter of conscience and religion?—which when other princes shall duly observe, we assure ourselves they will no way conceive that this alteration groweth from any change of disposition, now more exasperate than heretofore, but out of necessary providence, to prevent perils otherwise inevitable; considering, that their absolute submission to foreign jurisdiction, at their first taking of orders, doth leave so conditional an authority to kings over their subjects, as the same power, by which they were made, may dispense at pleasure with the straitest band of loyalty and love between a king and his people. Amongst which foreign powers, although we acknowledge ourselves so much beholden to the now bishop of Rome for his kind offices and private temporal carriage towards us in many things, as we shall be ever ready to requite the same towards him (as bishop of Rome, in state and condition of a secular prince), yet, when we consider and observe the course and claim of that see, we have no reason to imagine that princes of our religion and profession can expect any assurance long to continue, unless it might be assented, by mediation of other princes Christian, that some good course might be taken (by a general council free and lawfully called) to pluck up those roots of dangers and jealousies, which arise for cause of religion, as well between princes and princes, as between them and their subjects; and to make it manifest, that no state or potentate either hath or can challenge power to dispose of earthly kingdoms or monarchies, or to dispense with subjects' obedience to their natural sovereigns: in which charitable action, there is no prince living that will be readier than we shall be to concur, even to the uttermost of our power, not only out of a particular disposition to live peaceably with all states and princes of christendom, but because such a settled amity might, by an union in religion, be established among Christian princes, as might enable us all to resist the common enemy. Given at our palace at Westminster, the 22nd day of February, in the first year of our reign of England, France, and Ireland; and of Scotland the seven-and-thirtieth.

No. V.—(Referred to at page 40.)

Notification from the Office of the Signet, concerning Grants of Lands forfeited by Recusants. October, 1605.

[Original Draft in the State Paper Office.]

Whereas his majesty is daily moved by his servants and others to bestow upon them such benefit as doth or may arise by recusants already convicted, or hereafter to be convicted, whereof he hath made divers grants, and daily doth, according as seems best to his wisdom (of all which it belongeth to the duty of our place to keep a perfect calendar in the office of the Signet, both of such grants and promises as do pass, either by bill signed, or by certificate from his majesty's principal secretary, to whom the king doth usually certify his pleasure); forasmuch as there is order given by his majesty's council, that we shall likewise, from time to time, as we shall come to the notice thereof, certify you of all such grants, to the intent, when any of those to whom they are passed shall make repair to you for anything belonging to your place, which may give just and lawful expedition in that prosecution which is ordained by the statute, and wherein heretofore there hath appeared, in many under-officers, devices and delays, to his majesty's prejudice, I have sent you here, according to the direction above mentioned (and so the rest of my fellows will do from time to time), a catalogue of all such grants as are come to my knowledge; to which I will make addition, from time to time, as any such thing shall occur, within my month of attendance.

Of all these, who have already paid £20 a-month, the king must still have that payment continued; and the parties to whom any grants are made, must only be content with that benefit which may be further made, by extending two parts, according to the power given to his majesty by the last statute. Of the rest which are promised, whereof some are convicted, some are not, as soon as his majesty declares by any bill to whom they are given, you shall have notice.*

To the Lord Hay.

Thomas Arundell, of Lanhern.
John Townley, of Townley, Lancashire.
John Talbot, of Grafton.
John Southcott, William Green } Essex.
Richard Cotton, of Warblington, Southampton.

To Sir James Areskin.

Sir William Roper, of Eltham, Kent.

* [Another list, drawn up a short time later, and containing nearly the same names, is thus headed:—"A note of such recusants as his majesty hath *granted liberty to his servants to make profit of*, by virtue of that power which his majesty hath, to refuse the payment of £20 per mensem, and, in lieu thereof, to extend two parts of their lands." Orig. in the State Paper Office.—*T.*]

To Sir Roger Aston.

James Throckmorton, Warwickshire.
Edward Morgan, Montgomeryshire.

To Sir James Simple.

John Beaumont, Leicestershire.

To Mr. Robert Carr.

Edward Sayer, Yorkshire.

To Mr. Robert Douglas.

— Hare, of Suffolk.

To A. B.

Francis Perkins, Wilts.
Thomas Welles, Southampton.
John Preston, Lancashire.
John Edwards, Salop and Denbighshire.

To C. D.

John Draycott, of Paynesley, Derbyshire.
Robert Price, Cambridgeshire and Huntingdonshire.
Mary Digby.
— Paris.

To E. F.

Sir John Webbe, Southampton and Wilts.
Crescence Moore, Yorkshire and Hertfordshire.
Robert Tirwhit, Lincoln.
Catherine Buckland, widow, Wilts.
Catherine Gawen, widow.

To the Lord Wemms.

John Howsen (or Howes), of West Wickham, in the county of Buckinghamshire, gentleman, having living at Alton, near Aylesbury.
The Lady Henneage, of St. Martin's-in-the-Fields, London.
Elizabeth Coupledike, Lincoln.

Another List of Recusants, with the Names of the Persons to whom they were assigned, to be "made profit of."

[Original in the State Paper Office.]

For the Lady Walsingham.

Sir John Bowles, Knt.
Henry Sapcotts, Esq.
Hugh Speak, Esq.
Thomas Wotton, Esq.
Christopher Bigges, Esq.
George Patershall, Esq.
William Brokesby, Esq.
Augustine Belson, Esq.

For Mr. Izod, gentleman usher of the privy chamber to the queen.

Mr. Thomas Welles,
Mr. William Cording,
Mr. Richard Browning,
Mr. Thomas Henshaw the elder,
} all in Hampshire.

For Mr. Stephen Le Sieur.

Mr. Browning, com. Wilts.
Mr. Gawen, son and heir of Thomas Gawen, of Worrington, in eod. com.

Or if these be already entered for others, then these following:—

Edward Poyntz, of Tobington Park, in com. Gloucest.
Mr. Townley, of Townley, com. Lancast.

For Sir Thomas Mounson.

William Middleton.
William Stillington.
Sir Cuthbert Hassell.
John Vavasour.
Sir Francis Lacon.
Mr. Talbot, of Bashall.
Mr. Eccleston, of Eccleston.
Mr. Blundell.
Mr. Preston.

For the Earl of Southampton.

Andrew Bendlosse.
Augustine Belson.
Edward Gage, of Wormsley.
John Shelley.
Edward Gage, of Bentley.
William Copley.
Sir John Caryll the younger.
Thomas Hoord.

For Mr. William Wingfield.

Edward Digby, of Northamptonshire, Esq.

For Sir Robert Alexander.

William Everard de Lynstead, armiger,
John Newport, de eodem, armig.
George Norton de Chysen, gent.
Anthony Hubbard de Blyford, gent.
Henry Foster de Cobbock, gent.
Edward Armiger de Swylland, armig.
John Mannock, gent.
Thomas Fisson de S. Edmondsbury, gent.
} all in Suffolk.

For the Lord Say.

Mr. Edward Yates, in Berkshire.
Sir Basil Brooke, in Shropshire.

Mr. Brudenell, in Northamptonshire.
Mr. Morgan, in Northamptonshire.
Mr. John Preston, in Lancashire.
Mr. Thomas Greenwood, in Essex.
Mrs. Morgan, widow, in Warwickshire.
Mr. Hungerford, in Wiltshire.

For Mr. Ramsay, of the Bedchamber.

Humphry Paginton.
Nicholas Howes.

For Mr. Dr. Browne.

Mr. Audley, which married the sister of the Lord Windsor.
Mr. George Throckmorton, of , in Oxfordshire.
Mrs. Sullyard, of Wellenden, in Suffolk.
Mrs. Tymperley, wife of Mr. Nicholas Tymperley, of Hyntelstone, by Hadley, in Suffolk.

For Sir Walter Cope.

John Girlington, of Hackforth, armig.
John Hopton, of Armley.
Thomas Tankard, of Bransingham.
William Hungate, of Saxton, armig.
Richard Stapleton, of Carlton.
Thomas Musslebury, or Mussleby, com. Somerset, armig.

For Mr. Henry Stuart, laird of Craigihall.

Lady Elizabeth Grimston.
Richard Cholmondely, of Bransby.
Robert Stillington, of Skelfield.
Anthony Catherick, of Stanwich.
William Middleton, of Stockeld.
George Amye, of Frickley.
Isabel Drax, widow.
Thomas Meynell, of North Sulvington.
John Sayer, of Worsall.
John Ingleby, of Hutton Rudley.

For the Lady Elizabeth Stuart.

Sir Henry Hastings, Knt.
Thomas Eltoft, Esq.
George Peckham, Esq.
Nicholas Longford, Esq.
Henry Merry, Esq.
Robert Hare, Esq.
Edward Fawcett, Esq.
Marmaduke Haslewood, Esq.
William Langdale, Esq.
Rutland Mollineux, Esq.

For Mr. Levinston, of the Bedchamber.

Sir Edward Stanley, of Wynewich.
Mr. Draycott, of Paynesley, in com. Stafford, armig.
Mr. Ap Rice, of Washington, in com. Huntingdon, armig.

No. VI.—(Referred to at page 41.)

An Act for the due Execution of the Statutes against Jesuits, Seminary Priests, and Recusants. 1604.

[Stat. 1 Jac. I. c. 4.]

I. For the better and more due execution of the statutes heretofore made, as well against Jesuits, seminary priests, and other such like priests, as also against all manner of recusants, be it ordained and enacted by the authority of this present parliament, that all and every the statutes heretofore made in the reign of the late queen, of famous memory, Elizabeth, as well against Jesuits, seminary priests, and other priests, deacons, religious, and ecclesiastical persons whatsoever, made, ordained, or professed, or to be made, ordained, or professed, by any authority or jurisdiction derived, challenged, or pretended from the see of Rome, as those which do in any wise concern the withdrawing of the king's subjects from their due obedience, and the religion now professed, and the taking the oath of obedience unto the king's majesty, his heirs and successors, together with all those made in the said late queen's time, against any manner of recusants, shall be put in exact execution.

* * * * * * *

V. And be it further enacted, by the authority of this present parliament, that, where any seizure shall be had of the two parts of any lands, tenements, hereditaments, leases, or farms, for the not payment of the £20 due and payable for each month, according to the statute in that case made and provided, that, in every such case, every such two parts shall, according to the extent thereof, go towards the satisfaction and payment of the £20 due and payable for each month, and unpaid by any such recusant; and that the third part thereof shall not be extended nor seized by the king's majesty, his heirs, or successors, for not payment of the said £20 payable for each month, forfeited or lost by any such recusant: And where any such seizure shall be had of the two parts of the lands, tenements, hereditaments, leases, or farms of any such recusant as is aforesaid, and such recusant shall die (the debt, or duty, by reason of his recusancy, not paid, satisfied, or discharged), that, in every such case, the same two parts shall continue in his majesty's possession, until the residue or remainder of the said debt or duty be thereby or otherwise paid, satisfied, or discharged: And that his majesty, his heirs, or successors, shall not seize or extend any third part descending to any such heir, or any part thereof, either by reason of the recusancy of his or her ancestors, or the recusancy of any such heir.

VI. And be it further enacted, by the authority of this present par-

liament, that all and every person and persons under the king's obedience, which, at any time after the end of this session of parliament, shall pass or go, or shall send, or cause to be sent, any child, or any other person under their or any of their government, into any the parts beyond the seas, out of the king's obedience, to the intent to enter into, or be resident in, any college, seminary, or house of Jesuits, priests, or any other popish order, profession, or calling whatsoever, or repair in or to any the same, to be instructed, persuaded, or strengthened in the popish religion, or in any sort to profess the same, every such person so sending, or causing to be sent, any child or other person beyond the seas, to any such purpose or intent, shall, for every such offence, forfeit to his Majesty, his heirs, and successors, the sum of £100: and every such person so passing or being sent beyond the seas, to any such intent and purpose as is aforesaid, shall, by authority of this present act, as in respect of him or her self only, and not to or in respect of any of his heirs or posterity, be disabled and made incapable to inherit, purchase, take, have, or enjoy any manors, lands, tenements, annuities, profits, commodities, hereditaments, goods, chattels, debts, duties, legacies, or sums of money, within this realm of England, or any other his majesty's dominions: and that all and singular estates, terms, and other interests whatsoever, hereafter to be made, suffered, or done, to or for the use or behoof of any such person or persons, or upon any trust or confidence, mediately or immediately, to or for the benefit or relief of any such person or persons, shall be utterly void and of none effect, to all intents, constructions, and purposes.

VII. And be it further enacted, by the authority aforesaid, that, if any person born within the realm, or any the king's majesty's dominions, be at this present in any college, seminary, house, or place, in any parts beyond the seas (to the end to be instructed or strengthened in the popish religion), which shall not make return into this realm, or some of his majesty's dominions, within one year next coming after the end of this session of parliament, and submit himself as is aforesaid, [he] shall be, in respect of himself only, and not to or in respect of any of his heirs or posterity, utterly disabled and uncapable to inherit, have, or enjoy any manors, lands, tenements, hereditaments, goods, chattels, debts, or other things aforesaid, within this realm, or any other his majesty's dominions: Provided always that, if any person or child so passing, sent, sending, or now being, beyond the seas, as aforesaid, to such intent as is before mentioned, shall after become conformable and obedient unto the laws and ordinances of the church of England, and shall repair to the church, and there remain and be as is aforesaid, and continue in such conformity, according to the true intent and meaning of the said statutes and ordinances, that, in every such case, every such person and child, for and during such time as he or she shall continue in such conformity and obedience, shall be freed and discharged of all and every such disability and incapacity as is before mentioned.

VIII. And be it further enacted, by the authority of this present parliament, that no woman, nor any child under the age of twenty-one years (except sailors, or ship-boys, or the apprentice or factor of some merchant in trade of merchandise) shall be permitted to pass over the seas (except the same shall be by license of the king, his heirs, or suc-

cessors, or of some six or more of the king's privy council, thereunto first had under their hands), upon pain that the officers of the port, that shall willingly or negligently suffer any such to pass, or shall not enter the names of such passengers licensed, shall forfeit his office and all his goods and chattels; and upon pain that the owner of any ship or vessel that shall wittingly or willingly carry any such over the seas without license, as aforesaid, shall forfeit his ship or vessel, and all the tackle; and every master or mariner of or in any ship or vessel, offending as aforesaid, shall forfeit all their goods, and suffer imprisonment, by the space of twelve months, without bail or mainprise.

IX. And be it further enacted, by the authority aforesaid, that no person, after the feast of St. Michael the archangel next, shall keep any school, or be a schoolmaster, out of any of the universities or colleges of this realm, except it be in some public or free grammar-school, or in some such nobleman's or noblewoman's, or gentleman's or gentlewoman's house, as are not recusants, or where the same schoolmaster shall be specially licensed thereunto by the archbishop, bishop, or guardian of the spiritualities of that diocese, upon pain that as well the schoolmaster, as also the party that shall retain or maintain any such schoolmaster, contrary to the true intent and meaning of this act, shall forfeit, each of them, for every day so wittingly offending, forty shillings;—the one half of all the penalties and sums of money, before mentioned to be forfeited, to be to the king, his heirs, and successors, the other to him or them that shall or will sue for the same, in any of the courts of record in Westminster, by action of debt, bill, plaint, or information, in which no essoin, protection, or wager of law shall be allowed.

No. VII.—(Referred to at page 41.)

Substance of a Petition presented to King James by the English Catholics, in 1604.

The petition here referred to is entitled "A supplication to the king's most excellent majesty, wherein several reasons of state and religion are briefly touched, not unworthy to be read and pondered by the lords, knights, and burgesses of the parliament, and other of all estates. Prostrated at his highness' feet by true affected subjects. *Nos credimus, propter quod et loquimur.* 2 Cor. iv. 13:—*We believe; for the which cause we speak also.* 1604."

It is addressed to our "most high and mighty prince, and our dearest beloved sovereign," and begins by expressing the joy of the petitioners at the accession of James, by adverting to the benefits likely to result from "the union of the two kingdoms, and the rightful devolution of both sceptres to the immediate issue of either nation," and by beseeching the monarch, that, as a means of perpetuating their present happiness, he will "commiserate their grievous and long-endured pressures for confessing the Catholic Roman faith, the only mean, as they undoubtedly believe, of saving their souls eternally. We do not," they say, "presume to beg the allowance of some few churches for the exer-

cise of our religion, nor yet the allotting of any ecclesiastical living towards the maintaining of the pastors of our souls,—a benefit that is not denied by the princes and state politic of other countries, where diversity of religion is tolerated, and infinite good found to arise thereof; but the only degree of favour that we seek at your majesty's hands in this case, is, that, out of your princely compassion, you would be pleased to reverse the penal laws enacted by our late sovereign against Catholic believers, and to license the practice of our religion in private houses, without molestation to priest or lay person for the same. For this, most gracious prince, we entreat; for this we shall ever continue our humble petitions; and the suit being, as our faith assureth us, for the not abolishing of God's noblest cause and honour upon earth, and no ways against the peace, strength, or safety of the kingdom, but rather much convenient, if haply not necessary, for the good preservation thereof; and also for that the obtaining of the suit would bring unspeakable renown to your majesty with all the chiefest rulers of the Christian world, and endless comfort to thousands, who otherways, living against their conscience, must needs abide in continual horror of soul, we cannot think it a breach of duty, and less think it a point of disloyalty, ever lowly to solicit, yea petitionarily to importune, your majesty for the happy grant of so manifold, far-spreading, and universal a blessedness."

The petitioners then proceed to state the reasons which encourage them to appeal to the consideration of their sovereign. The toleration of their religion, they say, will bind them to the interests of the throne, and make them "ready, in all occurrences, to sacrifice their lives in defence of his majesty's person, crown, and dignity:" it will oppose an effectual obstacle to the anti-hierarchical designs of the puritans: it will secure the crown from all attempts, whether of foreign invasion or of domestic treason; and it will at once invite the confidence, and conciliate the friendship, of every Catholic sovereign in Europe. Nor let his majesty mistrust the loyalty of his Catholic subjects. The fidelity, which, in the face of persecution, they have already manifested towards their God, will offer the surest guarantee for their allegiance to their king: while "the establishment of the throne in clemency," and the respect which will thus be shewn for the rights of conscience, will "make millions, in and without the king's territories, so entirely and affectionately devoted to his person, crown, and posterity, as no attempt, no danger, no tumult can arise, wherein his sacred majesty shall not find present and securest harbour."

From these topics the petitioners pass to the religion itself, for which they are soliciting the protection or the toleration of the government. They advert to the distinctive marks of the church; to its antiquity as established by the apostles, to its perpetuity and visibility as a society of believers, to the unity of its doctrines, to the holiness of its precepts, and to the universal extent of its authority and its influence. They remind the king that to its pastors their country was originally indebted for the knowledge of Christianity, to its operation for all the ecclesiastical and scholastic institutions which the nation still possesses. They appeal to the doctors whom it has produced, for the truth of its various tenets: they trace its progress, from the apostolic ages, in the

dissemination of its principles; and they conclude by pointing to those precepts of allegiance by which it binds the consciences of the people, and secures to the rulers the obedience of their subjects. "Nor are these," they continue, "O most gracious sovereign, the only respects that thus embolden us to become humble suitors at your highness' foot for toleration of Catholic religion; but our manifold dangers undergone, our several losses and indignities sustained, and the store of Catholic blood that hath been shed, for affecting your mother's rights and title, and for seeking how to succour her piteous distresses and person (the worthiest queen that many ages enjoyed, living a long imprisoned confessor, and dying a most glorious martyr), serve also to plead and cry to your majesty for commiseration of our case, and grant of the petition we make. And as our true love, zeal, and tribute of service did not then dilate and extend itself only towards your highness' dear mother, but, in and through her, reached also to your sacred majesty, so, since the time of her happy crown of martyrdom, our wishes, endeavours, and actions have ever levelled, as much as lay in our power, to the most advancing of your majesty's title. Yea, the pressures and afflictions loaded on us for this cause, were, in a sort, comfortable, or not discomfortable unto us, in hope of the relaxation and ease we assuredly expected by your highness' actual arrival to the crown. So that now, if your excellent majesty may not be moved to permit the free exercise of the Catholic religion, oh! our hopes fed on are not only frustrate, and our long expectations vain, but our temporal lots, by re-establishing of penal laws against us, become more abject, servile, desperate, and forlorn, than ever before.

"Puritanism, differing from protestantcy in thirty-two articles of doctrine, as their own books and writings do witness, looketh up, spreadeth, and is neither suppressed with penalties, nor oppressed with indignities; but her professors receive grace, and hold high authority in the government: only the Catholic religion, whose professors suffered most for your good mother's sake, and ever least offended your majesty, is despised, trodden under foot, maligned, punished, and must be, alas! by all violence abolished, without regard of her venerable antiquity, or respect of the large dominions she otherwhere hath to her dowry, or of the innumerable conquests she hath made over all other sects, from Christ's time hitherto, or of the multitude and impregnableness of her proofs, which her professors are ready, yea, press, and do most earnestly long, to bring in public dispute, for testimony of the doctrine she teacheth. And that which moveth not the least admiration herein is, for that neither the inward belief of the Catholic Roman faith, nor the outward profession or defence thereof in words, seem to be the transgressions which are so sharply animadverted; but rather, the only fault which is punished, and never sufficiently, as some think, punished, in us, is, the undissembled profession of our inward faith, in refusing to go to the Protestant church; a necessity which, under guilt of deadly sin and breach of our church's unity, all are bound unto, that believe the verity of the Catholic religion, and purpose still to keep themselves her children. * * * *

"To draw to an end:—We most submissively beseech your majesty to conceive no otherwise of us, than of your most dutiful and loyal

vassals; acknowledging, in all politic and civil affairs, no other superior than the sacred authority of your highness, and resting ever most ready to accomplish all your commandments touching the same, were our lives never so certainly engaged in the execution;—only requesting that, in matters of soul and conscience, we may have leave to distinguish an eternal lord from a temporal lord, and to prefer our obedience to the one before our obedience to the other,—if obedience to princes, against God, may be termed obedience, and not rather irreligious pusillanimity. And as we have presumed, most precious sovereign, upon confidence of your true royal disposition and benignity, to make known to your princely consideration and wisdom our griefs, our hopes, the favour and connivance we desire, together with some few reasons, as well of state as of religion, for showing the concordance that our request hath with the good of state, and also the grounds of our persuasion in conscience, why the religion we believe in is true, so do we carry a most tender regard of yielding all satisfaction to your majesty and to all other in authority, yea, even to those who stand most jealously conceited of the true affection and loyalty of priests, the pastors of our souls, towards your highness' person, crown, and the weal of the realm; in whose behalf we do therefore confidently and most assuredly undertake, that they all shall willingly and readily take their corporal oaths for continuing their true allegiance to your majesty and the state; or, in case that be not thought assurance enough, they shall give in sufficient sureties, one or more, who shall stand bound, life for life, for the performance of the said allegiance, and of their fidelity and faithfulness in the premises. Yea, they most voluntarily offer yet further, that, if so any of their number be not able to put in such security for their loyal carriages, that then they will all join in one supplication to the Pope, for recalling such priests out of the land, whosoever they be, or how many soever.

"We fear to be tedious, and therefore we will shut up all in few words. Our hearts, our souls, and both with deepest cries, do most humbly, and alike instantly beseech your most excellent majesty to take pity of our afflictions, to compassionate our sufferings, and to relieve our long-endured pressures, either by licensing the free use of our Catholic religion, or, if we may not be so happy, yet, at least, by granting a public disputation, to the end we may be heard, our cause tried, and our teachers receive confutation and the deserved shame of their false doctrine, if in case they have misled us,—a favour which the adversaries of our religion have obtained in other countries, and which our country oppositors seem, in their books, to be very desirous of, and is also, of itself, of all other means, the most potent to reunite all parties in one; the deceived being hereby let to see their errors. So that, by the grant thereof, no doubt your majesty shall get eternal praise over the Christian world; the Protestant religion everlasting fame, if she prevail; the neighbour countries great edification; the waverers, and such as are doubtful in faith, a stay and worthy satisfaction, as none greater; all posterity a right noble example and precedent to follow; and we, your majesty's loyal subjects, must and shall always, as our bounden duty exacteth, rest, through the delivery out of the blindness (if so we live in blindness), for ever most strictly obliged to pray inces-

santly for your highness' long life and prosperous reign over all your dominions, with multiplication of immortal renown in this world, and of endless joys in the next."

This tract was answered in a pamphlet entitled "The Supplication of certain Mass Priests, falsely called Catholics, directed to the king's most excellent majesty now, this time of parliament, but scattered in corners, to move mal-contents to mutiny. Published with a marginal gloss, for the better understanding of the text, and an answer to the libellers' reasons, for the clearing of all controversies thereof arising. James iv.—*Petitis et non accipitis, eò quòd malè petatis. Ye supplicate, and do not obtain, because ye ask lewdly.* 2 Cor. vi.—*What agreement hath the temple of God with idols?* London. Imprinted for William Aspley, 1604."—Mr. Butler (Mem. of Eng. Cath. ii. 84, 85, 87, notes) has confounded the Supplication itself with the "Petition Apologetical" which I have noticed in page 41, ante.*—*T.*

No. VIII.—(Referred to at page 41.)

Commission for the Banishment of the Catholic Missionaries. Sept. 5, 1604.

[Rymer, xvi. 597.]

James, by the grace of God, &c., to our right trusty and right well-beloved counsellor, Thomas, Lord Ellesmere, Chancellor of England, and to our right trusty and right well-beloved cousins and counsellors, Thomas, Earl of Dorset, our High Treasurer of England, &c. &c. greeting.

Whereas divers Jesuits, seminary priests, and other priests or persons ecclesiastical, or religious whatsoever, made or ordained according to the order or rites of the Romish church, since the beginning of the reign of the late queen of famous memory, Elizabeth, late queen of England, being corrupted and brought up seditiously beyond the seas or elsewhere, have afterwards been sent into this our realm, or employed, under colour of religion, to withdraw the hearts of our loving subjects from their allegiance towards us; with whom, notwithstanding, we have not proceeded so severely as by our laws we might, and as their demerits justly deserved, hoping that, in time, they might see their palpable errors and reform themselves:

And forasmuch as now we understand, that, not only many of these Jesuits, seminary priests, and other priests and persons abovesaid, being at large, but also divers of them, being so in prison, desist not, as much as in them lieth, from the seducing of divers of our subjects, but also do enter into divers practices against us and our state, and now, through our moderation and clemency, are grown to so great insolency and wil-

* [Speaking of the "Petition Apologetical," a correspondent, writing in June, 1605, to Sir Thomas Challoner, says, "It was Colleton, the priest that lieth at Southampton House, with the keepers there, that made the last supplication, which Sutcliffe answered." Orig. Recusant Papers, No. 45, in the State Paper Office. —*T.*]

fulness, as that their keepers, except they should lay them in irons, cannot rule or keep them in any order:

And furthermore, understanding that divers other Jesuits, seminary priests, and other the persons abovesaid, have come, and daily do come, from the parts beyond the seas into this our realm of England, and other our dominions, to the like intent, and to seek, as much as in them lieth, to sow sedition, and to stir up rebellion, within the same our realm and dominions; and likewise that there be divers others, as well wandering and massing priests, as other lay persons, that are seducers of our said loving subjects, or otherwise, by the means aforesaid, are seduced themselves; whereof great danger might ensue to us and our said realm and dominions, if the same be not by us the sooner foreseen and prevented:

In consideration of all which eminent dangers and inconveniences, albeit by one general and free consent, with one voice, of our whole parliament lately assembled, representing the whole body of the realm, it was ordained and enacted by authority of the same (amongst other things) that all and every the statutes theretofore made in the reign of the late queen of famous memory, Elizabeth, against Jesuits, seminary priests, and other religious or ecclesiastical persons abovesaid, should be put in due and exact execution, we, nevertheless, continuing our said gracious inclination towards them, desiring, if God so please, their conversion and amendment, and reposing great trust in you, the said lord chancellor of England, lord treasurer of England, &c., do, for us, our heirs, and successors, give full power, warrant, and authority, by virtue of these presents, to you, or to any six or more of you, from time to time and at all times hereafter, to exile and banish out and from this our realm of England, and all other our dominions, and out of and from all places under our obedience, so many seminary priests, jesuits, and other religious or ecclesiastical persons abovesaid, as now are in any sort indicted, convicted, or attainted of or for any high treason, or other offence whatsoever, and also all other Jesuits, seminary priests, and persons ecclesiastical or religious abovesaid, that hereafter shall come or be within the realm of England, whether they shall happen to be in prison or out of prison, as to you, or any six or more of you, shall be thought convenient or fit so to be dealt withal; and that to be done either generally or particularly, or in such order, manner, and form, and under [such] conditions, prescriptions, and limitations, as you, or any six or more of you, shall set down in writing, signed with the hands of you, or any six or more of you, according to the several qualities of their conditions and offences:

And we do further signify and declare that our pleasure is, and we do by these presents grant, that every such person and persons, which so shall be thought fit and convenient, as is aforesaid, to be exiled and banished, shall, by force of these presents, be exiled and banished in such manner and form, and under such conditions, prescriptions, and limitations, as you, or any six or more of you, shall set down in writing, signed as is aforesaid:

And we do further give full power and authority, by these presents, to you, or any six or more of you, to signify and declare in writing, signed as is aforesaid, to each and every gaoler or keeper of prisons,

under whose custody any such person or persons, so to be exiled or banished, now is or hereafter shall be, that he shall deliver out of his custody the same person or persons, in such manner and form as you, or any six or more of you, shall thereby prescribe and appoint:

* * * * * *

And we do will and straightly charge and command, by these presents, all our judges, justices, sheriffs, lieutenants, bailiffs, constables of any our castles, gaolers, ministers, and officers, and all other our subjects to whom it shall appertain, that they and every of them be aiding and assisting to the due performance and execution of the premises, and that they and every of them do allow of and perform the same, in every respect according to the purpose, effect, and true meaning of these presents: and these presents, or the exemplification, enrolment, or duplicate thereof, shall likewise be unto them, and every of them, a sufficient warrant and discharge, without any other warrant or discharge from us, our heirs, or successors, in that behalf, in any wise to be had or obtained.

* * * * * *

Witness ourself, at Hatfield, the fifth day of September.

No. IX.—(Referred to at page 41.)

Canon ordering Ministers to present Recusants. 1604.

[Canon cxiv. in Constitutions and Canons Ecclesiastical, 82.]

Every parson, vicar, or curate shall carefully inform themselves, every year hereafter, how many popish recusants, men, women, and children, above the age of thirteen years, and how many being popishly given (who, though they come to the church, yet do refuse to receive the communion) are inhabitants, or make their abode, either as sojourners or common guests, in any of their several parishes; and shall set their true names in writing, if they can learn them, or otherwise, such names as for the time they carry, distinguishing the absolute recusants from half recusants; and the same, so far as they know and believe, so distinguished and set down under their hands, shall truly present to their ordinaries, before the feast of the nativity next ensuing, under pain of suspension, to be inflicted upon them by their said ordinaries; and so every year hereafter, upon the like pain, before the feast of St. John the Baptist. Also we ordain that all such ordinaries, chancellors, commissaries, archdeacons, officials, and all other ecclesiastical officers, to whom the said presentments shall be exhibited, shall likewise, within one month after the receipt of the same, under pain of suspension by the bishop from the execution of their offices, for the space of half a year, as often as they shall offend therein, deliver them, or cause to be delivered, to the bishop respectively, who shall also exhibit them to the archbishop, within six weeks, and the archbishop to his majesty within other six weeks, after he hath received the said presentments.

No. X.—(Referred to at page 42.)

The Banished Priests to the Lords of the Council. Sept. 24, 1604.

[Copy in my possession.]

Right honourable,

As we have suffered, for Christ his sake and the profession of the true Catholic religion, which he planted with his precious blood, many years' imprisonment and deprivation of all worldly comforts and commodities, so do we, with the like patience and humility, endure this hard and heavy sentence of exile, which is a certain kind of civil death, or rather a languishing and continual dying, especially to them that have the honour and safety of their prince and country in that recommendation as we ever both have had, and have. Notwithstanding, lest it might be imputed to us hereafter that this banishment was rather an extraordinary favour and grace, than an undeserved punishment or penalty, we thought it our duty to let your honours understand that, as we are content with patience and humility to suffer and support whatsoever you should impose upon us for our religion, so are we bound withal to make protestation of our innocency, according to that of St. Peter, *Nemo vestrûm patiatur ut fur, aut latro, aut maledicus, aut alienorum appetitor; si autem ut christianus, non erubescat, glorificet autem Deum in isto nomine.*

May it please your lordships, therefore, to understand, that the quality and condition of those that are comprehended under the self-same sentence of banishment, is very different and considerable, both in honour and conscience; among the which, some there are that came voluntarily into prison, upon a proclamation set out by your lordships, in the late queen's days and name, with assurance of favour upon such their submission; some came neither voluntarily into the prison nor into the realm, and therefore not subject to any censure; and all of them have been ever most faithful servants and affectionate well-willers of his majesty, and have to show, under the great seal of England, his majesty's gracious general pardon, by which they are restored unto the peace of his majesty, and place of true subjects;—since which time, they have committed nothing against his majesty's quiet, crown, and dignity, as being ever since in captivity; and therefore, in the rigour and extremities of those laws, which in their best sense and nature were ever held both extreme and rigorous, cannot be punished, by any form or course of law, with so severe a correction as *aquâ et igne interdici*, to be deprived of the benefit of the common air and elements of our most natural and dear country. Yet sithence it is your lordships' pleasure we should be transported, we are content, in sign of obedience and conformity to that we see is your order, for this time to forbear the realm for a while, and to absent ourselves; reputing ourselves, notwithstanding, as men free from all danger or penalty of laws, and neither by this fact of banishment, nor by any other act of our necessary return into our country hereafter, in worse estate than your lordships found us in the prison, when your lordships' warrant came, for the carrying us out of the realm. And so, hoping your honours will conceive of us, as of men that have

the fear and grace of God before our eyes, and the sincere love of our prince and country in our hearts, and dutiful reverence and respect to your lordships in all actions, we humbly beseech your honours that, if we happen, for want of health or other helps necessary to our relief, to return hereafter into the realm, this banishment may not any way aggravate our case, or make us less capable of favour or grace than we were, the twenty-first of September, when your lordships' order came, to remove us from post to pillar, from prison to exile: and so, desiring God to inspire your lordships (upon whose resolutions depends the repose of the realm, and the salvation or perdition of many thousand souls) with his holy grace and assistance in all your most grave and weighty determinations, in most humble and dutiful manner we take our leave, from the sea-side, this 24th of September, 1604.

His majesty's true and loyal subjects,
And your honours' most humble servants,
THE LATE BANISHED PRIESTS.

No. XI.—(Referred to at page 42.)

The Names of such Popish Recusants as were indicted at the Sessions holden for London and Middlesex, Feb. 15, 1604.

[MS. in the State Paper Office.]

[The following list will show that Carleton's computation of "twenty-eight," mentioned in the text, was greatly below the real number of persons indicted at this time.—*T.*]

Middlesex.

Robert Gawen.
Thomas Gawen.
Roger Widdrington.
Catherine Gawen.
Thomas Hoord.
Robert Hare.
William Wrench,
Margaret his wife,
Margaret Warde,
Elizabeth Gee,
Anne Daunce,
William Hawkins,
} Apprehended in Great St. Bartholomew's.
— Oven.
— Hawley,

London.

Richard Benson.
Samuel Loane.
Hugh Speake.
Richard Hatton, armiger.
John Webbe, armig.
John Moore, armig.
Francis Plowden, armig.
William Middleton, armig.

James Wilford, gent.
Walter Waller, gent.
William Green, armig.
John Webbe, miles.
Ambrose Rookwood, armig.
Henry Darrell, armig.
John Povey, gent.
Roger Lawson, armig.
Thomas Lodge, Doctor of Physic.
Christopher Askwithe, gent.
Hugh Holland, gent.
Thomas Roper Salter.
John Dabridgecourt, in prison.
Francis Bowen, yeoman, in prison.
Edward Norton, priest.
Alice Tempest.
Francis Price.
Simon Price.
William Wyon, Catherine Jury, } Apprehended in Gray's Inn-lane.
Phillis Wheeler.
Thomas Pratt.

In the Counter in Wood Street.

Thomas Penkaville, Peter Penkaville, John Penkaville, Thomas Giles, } These were taken last night at St. John's House.

In the Counter.

John Waterman, taken in Southwark.

The Number of Recusants indicted, in the several counties of England, with the names of the Judges before whom they appeared.

[Original in the State Paper Office.]

Lord Chief Justice and Baron Clarke.

Com. . { Norfolk, Suffolk, Cambridge, Huntingdon, Bedford, and Buckingham.

Recusants { Convicted before the last summer assizes . 500; Increased since the last summer assizes . 200 } . 700

Sectaries { Convicted and imprisoned formerly . . . 4; Convicted at the last assizes 61 } . 65

No recusants have conformed themselves, but Edward Norton, in Suffolk, and John Fisher, in Norfolk; which Fisher, although he did openly conform himself, and did take his oath, hath since relapsed, and withdrawn himself from the church.

Lord Chief Baron and Justice Fenner.

Com. . { Southampton, Wiltshire, Dorset, Somerset, Devon, and Cornwall.

Recusants { Indicted before the last assizes 560 / Newly indicted more 364 } . 924

There is information of many more recusants in these counties, but not yet indicted, by reason that the bishops' officials, specially of Sarum and Exon, have not exhibited their presentments.

Many women [are] recusants; and their husbands come to church, but permit their wives to continue recusants, and to seduce others.

At the last assizes in Devon, one Smith, a seminary priest, was convicted of treason, and one Richard Eveleigh convicted of felony, for maintaining and relieving him; and they both are reprieved, and so remain in prison.

At the last summer assizes in Cornwall, one Thomas Mondeford, a Jesuit, was attainted of treason, and yet remaineth in prison.

John Symons, a sectary, convicted and imprisoned: he affirmeth we have no church in England, that the ceremonies of our church are abominable, and that our archbishops and bishops are antichristian.

Lord Chief Justice of the Common Pleas and Justice Warburton.

Com. . { Northampton, Rutland, Lincoln, Nottingham, Derby, Leicester, Warwick.

Recusants in these counties 923

Whereof there are increased since the beginning of his Majesty's reign 833

William Taylor, of Brymmicham (Birmingham), in the county of Warwick, miller, is accused that he said that there was a time agreed upon amongst the papists, to commit in one night a massacre of the Protestants, and the actors herein should be known by wearing a red cross, or a black cross, in their hats or in their breasts.

Baron Saville and Serjeant Phillips.

Com. . { Yorkshire. / Lancashire.

Yorkshire {

Recusants indicted in the county and city of York, about 1000.

Thomas Robinson was convicted and punished by pillory, and yet remaineth in prison, for reporting publicly that it was not so well with Protestants as they looked for; and that, although the judges at Durham had many recusants before them the last summer assizes, yet it would be no more so hereafter; for the king had sent a post to Durham, that they should not proceed against recusants until they knew further of the king's pleasure. And he said further, that he hoped, within one twelvemonth, to see all the Protestants in England hanged, or else to turn from their religion; and that he should have the hanging of thirty or forty of them.

Thomas Welborne and William Browne, both servants to Thomas Darcy, Esq. a notorious recusant, were attainted of high treason, for practising to seduce the king's subjects from their obedience to his majesty, and to withdraw them

Yorkshire { to the Romish religion; but are stayed in prison, and not executed.

The vicar of Haleigh, an inveterate sectary, was indicted for not observing the book of Common Prayer.

Lancashire { Recusants indicted in Lancashire, 600.

One Burscough, a priest, being apprehended, as he was ready to say mass, was attainted of high treason, and stayed from execution. He is of small learning, and seemeth to be of mild and temperate disposition, free from practice, and condemning all that are persuaders or stirrers to faction or rebellion, and yielded to have conference with some learned preachers; and so good hope to reclaim him.*

There were twenty-nine persons apprehended with this priest; and twenty-six of them submitted and conformed themselves at the bar, and went presently to church to divine service.

There were fifty-six other recusants, which appeared before the judges, and fifty-two of them did submit themselves to go to church; and of these, Thomas Clifton and Henry Clifton, gentlemen well descended, were two who had never before been at divine service in the church.

Justice Yelverton and Justice Williams.

Com. . { Oxford, Berks, Gloucester, Monmouth, Hereford, Wigorn, Salop, Stafford.

Recusants indicted total 1865

Whereof increased since his majesty's reign

Adam Green, a seminary priest, was, by virtue of the king's proclamation, delivered out of Oxford gaol, to the intent he should have departed the realm, according to the same proclamation.† But, soon after, he returned to Oxford, and was there taken, in the same house which he haunted before. At the last assizes, he was attainted of treason, according to the law; and thereupon reprieved and stayed from execution. And, contemning that favour, within ten days after, he had prepared, in his chamber, in the castle at Oxford, all things ready to say mass. There was also found in his chamber a letter, begun to be written by him, wherein he writeth that the judge gave a strict charge and great threats, with show of authority, which caused many to expect little difference from former times; but in conclusion it appeared manifestly that their commission was restrained.

One Tuchiner, a Jesuit, was apprehended at Oxford, since the last assizes, with all things ready to say mass.

It is informed that divers other Jesuits and seminary priests haunt

* [In this hope, however, his persecutors were disappointed: and accordingly, notwithstanding the peaceable and loyal character here given to him by his enemies themselves, he was, in July, 1606, ordered into banishment, and in company with forty-eight other persons conveyed out of the country. The names of these parties will be given elsewhere.—*T.*] See Tierney's Dodd, iv. Append. p. cxxxiv. note.—*Editor.*

† [This proclamation was dated Feb. 22, 1604.—*T.*] See Tierney's Dodd, iv. 9, note.—*Editor.*

these counties, viz. White, Staunton, Standish, Webster, Gardiner, Hassell. It is likewise informed that, in a place called Darren, in the confines of the counties of Hereford and Monmouth, mass is weekly said by two Jesuits, viz. Jones and Powell, with great resort unto them of persons of good quality.

One William Howell Thomas, a recusant, deceased, was buried on a Sunday, in the day-time, in the churchyard of Carellion (*Caerleon*) in Monmouthshire; being brought thither by many recusants, carrying wax candles before the corpse; and no minister was present at the same burial. Hereupon, one Morgan ap John having some speech with one Sander William James, a recusant, touching that burial, he, the said Sander, said, "we shall have mass, and that very shortly, or else thou shalt see many bloody swords." And this is testified and affirmed by the said Morgan ap John.

Justice Gawdy and Justice Daniel.

Com. . { Kent, Sussex, Surrey, Essex, Hertford.

Recusants in these counties 114
Whereof increased since the beginning of his majesty's reign . . 34

Robert Bastard convicted for affirming the Romish church to be the true Catholic church; and he doth yet remain in prison.

No. XII.—(Referred to at page 43.)

The Archbishop of Canterbury to his Suffragans, concerning Recusants. March 12, 1605.

[Wilkins, iv. 410.]

Salutem in Christo. I have written to your lordship before, concerning your proceeding with your factious ministers, and that you should not desist, by depriving one, two, or three, at once, until you have purged your diocese of them. Now, I am to signify unto you that his most excellent majesty hath, with the admiration of all that heard him, most fully, rarely, and resolutely declared himself (as often heretofore), touching such courses as he wisheth should be held with popish recusants; being most desirous to rid his kingdom as well of these pestiferous adversaries, as of the former: to which purpose he hath dealt very thoroughly and privily both with the lords of his right honourable privy council, and with his judges; expecting likewise that we, who are bishops, should not be negligent in discharging of our duties, so far as lieth in us, for the furthering and effecting of so royal and so religious a designment. As, therefore, my place requireth, and not without due and careful deliberation, I do commend to your good lordship, as I also have done to the rest of our brethren, these particular points following, to be thoroughly by you observed:—First, your lordship is not to depend upon the hundred-and-fourteenth canon,* expecting still the

* See No. IX of this Appendix.

minister's diligence in presenting of recusants, but to use your own best endeavour, by the labour and means of all your officers and friends, to inform yourself, as well of the number, as of the qualities of them; and the same to certify unto me, with all convenient speed:—Secondly, because order and discretion in all proceedings are principally to be observed (whereof, without my advice, your lordship will be sufficiently mindful), and for that there being differences in the dispositions of the said popish recusants, and cannot all of them be reformed together, your lordship is to take notice, by all the means before expressed, first, of all the recusants in your diocese, who they be that are the most busy in seeking to seduce others, either abroad, or at home in their own families, by bringing up their children in popery, and refusing to entertain any to serve them, especially in places of trust, that are not recusants; secondly, of all such persons of any note, who are become recusants since his majesty's coming into England, and of them that are the most insolent, as the manner of those usually is who are newly seduced:—Thirdly, these three observations thus premised, your lordship is to procure, as much as in you lieth, that, for the faithful accomplishment of the sixty-sixth canon,* no pains may be spared in conferring with the said recusants, especially with the two sorts before mentioned, who are the heads and leaders of the rest, that thereby, if it be possible, they may be reduced from their errors, and no sweet or kind means omitted for the recovering of them to the truth:—Fourthly, in this conference you are to do your best for the reclaiming of those that are already excommunicated in their private parishes, with whom, if such travail will nothing prevail, because it is either obstinately rejected, or wilfully contemned, then let them be publicly denounced in your cathedral church, for excommunicate persons, without any forbearance or partiality, according to the sixty-fifth canon,† if happily such a notorious

* [This was one of the canons drawn up in the convocation held in 1604. I subjoin a copy of it:—"Every minister, being a preacher, and having any popish recusant or recusants in his parish, and thought fit by the bishop of the diocese, shall labour diligently with them, from time to time, thereby to reclaim them from their errors; and if he be no preacher, then he shall procure, if he can possibly, some that are preachers so qualified, to take pains with them for that purpose. If he can procure none, then he shall inform the bishop of the diocese thereof, who shall not only appoint some neighbour preacher or preachers adjoining to take that labour upon them, but himself also, as his important affairs will permit him, shall use his best endeavour, by instruction, persuasion, and all good means he can devise, to reclaim both them and all other within his diocese so affected." Constit. and Can. Ecclesiast. 47, 48.—*T.*]

† [The following is the canon referred to: "All ordinaries shall, in their several jurisdictions, carefully see and give order that, as well those who, for obstinate refusing to frequent divine service, established by public authority within this realm of England, as those also especially of the better sort and condition, who, for notorious contumacy or other notable crimes, stand lawfully excommunicate (unless, within three months immediately after the said sentence of excommunication pronounced against them, they resolve themselves, and obtain the benefit of absolution), be, every six months ensuing, as well in the parish church, as in the cathedral church of the diocese in which they remain, by the minister openly, in the time of divine service, upon some Sunday, denounced and declared excommunicate, that others may be thereby both admonished to refrain their company and society, and excited the rather to procure out a writ '*de excommunicato capiendo*,' thereby to bring and reduce them into due order and obedience. Likewise the register of every ecclesiastical court shall yearly, between Michaelmas and Christmas,

punishment may be a means to bring them to repentance:—Fifthly, if you have, in your diocese, sundry of the first sort of the said busy and seducing recusants not yet excommunicated, with whom conference will prevail no more than with the former before mentioned, then call two or three of the chiefest of them (for dignity, place, and perverseness, such as are heads and leaders of the rest) forthwith by your ordinary authority; and if either they will not appear (after sufficient admonition to be carefully executed, so as they may not plead any probable ignorance), or, appearing, shall obstinately refuse to go to church, as our phrase is, let them be *in scriptis* excommunicated, and, after forty days, certified unto the chancery (This direction, touching the said first sort, will serve for the second, such as are of latter years revolted):—Sixthly, of those that before stood excommunicated, and so have been publicly denounced, according to the said canon, if there be amongst them any of the said two sorts, then let two or three of the principallest of them, as is aforesaid, that have stood excommunicate forty days, be presently certified unto the said court. And for your better encouragement herein, if you shall advertise me of any such certificate, I will use my utmost endeavour to procure the writ '*De excommunicato capiendo*,' and take such order as that the same shall be faithfully and speedily served; that so they who have not learned how to use their former liberty, may be better instructed by chastisement in prison. Your lordship knoweth that the people are commonly carried away by gentlemen recusants, landlords, and some other ring-leaders of that sort, so as the winning or punishing of one or two of *them*, is a reclaiming, or a kind of bridling, of many that do depend upon them; which hath induced me to prescribe to your lordship, by the directions precedent, such a moderation and course as I think fit to be generally pursued; hoping that, when they who have been seduced under pretence of toleration, or I know not what vain imagined thing, shall hereby find that such disobedient persons are no longer to be borne with, but that the laws made in that behalf are carefully to be executed, they will be better advised, and reform themselves; and that the rest of such simple people will be more heedful hereafter that they be not misled and carried away by lewd persuasions of any person whatsoever:—Lastly, we that are bishops, being all of us, as is supposed, justices of the peace, it is much marvelled that so many priests and Jesuits range about in our dioceses, without any impeachment or regard almost had of them; we ourselves seldom or never seeking after them. It is said that our remissness therein doth discourage the rest of the justices of the peace from taking such pains in that behalf as heretofore they have been accustomed, and that they would be as ready as they were to join with us in that service, if they might see our willingness thereunto, either by effecting something ourselves, or by our intelligence (having all the ministers of our diocese at our commandment) would give them our best directions, where those impostors might be met with and apprehended. These things, I fear, may justly be objected against some of us; and I am driven now and then into some straights how to excuse such our security. I do there-

certify the archbishop of the province of all and singular the premises aforesaid." Ibid. 47.—*T.*]

fore very heartily pray your lordship to think thereof; not that I have any cause to suspect you to be one of the number (if I shall speak properly), but rather to inform you what is expected at your hands, that with better discouragement we may therein discharge our duties. And thus not doubting but that your lordship will have due regard both of this last point, and likewise of all the premises; and letting you understand that I keep the copy of this my letter, that, if any of our brethren shall neglect them, or any part of them, I may have the same for my discharge, and every one of us be driven to bear his own burthen, I commit your lordship, with my hearty commendations, unto the tuition of Almighty God. From Lambeth, the 12th of March, 1604-5.

Your lordship's very loving friend and brother,

R. CANTUAR.

No. XIII.—(Referred to at pages 43 and 61.)

The Bishop of Hereford to the Earl of Salisbury. June 22, 1605.

[Original in the State Paper Office.]

Right Honourable,

May it please your honour to be advertised that, upon Wednesday last at evening, being the nineteenth of June, Sir James Scudamore, accompanied with Mr. Rudhall, Mr. Rowland Vaughan, and Mr. Reole, justices of peace, with such aid as I could give them, went unto the Darren, and other places near adjoining, to make search, and apprehend Jesuits and priests (their abetters and receivers, certain days before, being riotously abroad with weapons); and did make diligent search, all that night and day following, from village to village, from house to house, about thirty miles compass, near the confines of Monmouthshire; where they found altars, images, books of superstition, relics of idolatry; but left desolate of men and women. Except here and there an aged woman or a child, all were fled into Wales, and but one man apprehended; out of whose examination nothing worthy of relation can be gotten: all that circuit of rude and barbarous people carried headlong into these desperate courses, by priests (whereof there is great store) and principal gentlemen, lords of towns and manors there, who lead the rest at will. But our purpose was descried and made vain, except a terror stricken into them: and therefore, under correction of their honours' wisdoms, some other course must be taken: for, if we go out with few, we shall be beaten home; if we levy any strength, we are descried, and they are all fled into woods, and there they will lurk until the assises be past. Therefore, not I, but all the rest are of opinion that a proclamation must call them in, by a day prefixed, to yield themselves to his majesty's either justice or mercy.

I have also sent enclosed several examinations, concerning the riot committed at the first going out of the justices, which will yield some matter of further discovery; wherein are detected many principal actors, and all dangerous men, whereof special men, Thomas Prichard, who raised many (a man of Sir Roger Bodenham's), and Rice ap Rice, Sir Charles Morgan's brother-in-law. And all these are fled their houses

into corners, and presently cannot be apprehended. No vigilance or endeavour shall be wanting; and what service shall happily be effected, shall be as speedily certified as may be.

Further, it is discovered unto me, which I dare not conceal, that Sir Charles Morgan, at the late Queen's death, was solicited to rise up in arms. It is said, in his commendation, that he refused; yet were it expedient he were sounded, by whom. I am told that, out of question, it was by William Morgan, John Smith, and one North, a priest. It is also insinuated that Cadwallador, the priest, and William Morgan, were actors, and had their finger, in the late Watson's intended treason, which was in part hammered here in these parts.*

Besides these things, I think it necessary to disclose what maketh some more fearful in this service;—if, in these searches, any violent resistance be made, and blood be shed besides purpose, we have no warrant of discharge in justice: we, our lands, and goods, fall into the king's mercy. This maketh some go out in cold blood. My servant was put in hope, and attended long for a commission ecclesiastical for me, whereby I might better be enabled to do his highness service: but he found that which I ever found,—some unwilling that any authority of that nature should pass further than their own hands. If I may have it, I will do the service; if I may not, *liberavi animam meam.* I will live the more private, and let the blame light where it will. Besides, I am told that it will cost me near £20, in charge of drawing, writing, and sealing, which my man was not furnished to disburse, nor I willing to give. Many bishops have it. No man hath more need than I, in all the land. Thus humbly craving pardon, I commend your honour to the gracious tuition of the Almighty, who ever bless you with all heavenly graces. From your honour's in all duty,

RO. HEREFORD.

Hereford, the 22nd of June, 1605.

Garnet to Persons, October 4 and 21, 1605.

[Original in my possession.]

[Part of the following letter is inserted by Gerard in his MS., and is, of course, translated by Greenway, in his Italian version of Gerard's work. The original bears neither signature nor address: but the handwriting is evidently that of Garnet; while Persons, in an endorsement, expressly tells us that it was penned by that father. Of the party to whom it was addressed Gerard says nothing: Greenway, however, supplies the omission in his MS., and twice informs us that it was written to Persons. From a passage, on which I shall have occasion to remark, it will be seen that this fact is important.

Relying on the fidelity of Gerard, who declares, "*upon his conscience,*" that he has "set down Father Garnet's words truly and sincerely as they lie in his letter," Dr. Lingard has printed what is given by that writer, and from it has argued, with Greenway, that Garnet, on the fourth of October, the date assigned to it both by Gerard and Greenway, was still ignorant of the nature of the plot. The truth,

* [The collection, known as the *Recusant Papers*, in the State Paper Office, abounds with charges and insinuations of this description, levelled against different [illegible], and all equally without foundation. In the present instance, Cadwallador was afterwards apprehended and executed for his sacerdotal character, [illegible] charged upon his trial with the offence here imputed to him.—*T.*]

however, is, that, although the *letter* was written on the *fourth*, the *postscript* was not added until the *twenty-first*, of October: that from this postscript the two Jesuit writers have selected a sentence, which they have transferred to the body of the letter; and then, concealing both the existence of the postscript, and the date of the twenty-first, have represented the whole as written and despatched on the fourth. The motive for this proceeding, especially on the part of Greenway, is obvious. That writer's argument is, that the parliament had been summoned to meet on the third of October; that Garnet had not heard of the intention to prorogue it to the following month (this, to say the least, is very improbable); that, for anything he could have known to the contrary, the great blow had already been struck, at the very time when he was writing; and consequently, that, had he been acquainted with the intentions of Catesby and his confederates, he would never, at such a moment, have thought of proceeding, as he says he was about to proceed, towards London, and thus exposing himself to the almost inevitable danger of falling into the hands of his enemies. "Era il parlamento publicato per tenersi il 3° d'Ottobre, et quei gentilhuomini stávano al'erti et attenti di mettere in essecutione quel che disegnato havéano; et per quelli medesimi giorni stáva il padre nel suo viaggio, totalmente sprovisto di cása et d'ogni refugio, lontáno, non solamente da quelli gentilhuomini, ma anco dalli più potenti et più fidati amici che havéa; lontáno anco dagli altri padri della compagnia, et (quello che assai chiaramente demostra la totale ignorantia che di questo fatto havéa) con animo di ritornare verso Londra, dóve ordinariamente svolea residere; il che sarebbe státo un darsi nelle mani delli nemici, gia che, havendo il tumulto di essere principalmente intorno a Londra, éra impossibile che quanti in quel tempo si havessero truovati fuóra delle cáse loro, et massime in camino, non havessero cascati in mani di quelli che si sarébbono in quella confusione demostrati nemici a cattólici, et con ogni crudeltà havrebbono fatti la vendetta di quella ancóra fresca et spaventevole ruina. . . . Le lettere da lui scritte dalli quattro d'Ottobre, cio è un giorno doppo che il parlamento dovea incominciare, *et il disegno essere gia esseguito e finito*, ne fanno chiarissima pruova" (MS. 51[b], 52[a]). Now, the whole of this reasoning is founded on the assumption that the letter bore only the single date of the fourth. On the twenty-first, the supposed danger of a journey to London no longer existed. At that period, too, Garnet, instead of proceeding towards the metropolis, had not only removed in the opposite direction,—from Goathurst, in Buckinghamshire, to Harrowden, the seat of Lord Vaux, in Northamptonshire, but was also preparing to withdraw himself still further from the capital, and, by the end of the month, was actually at Coughton, in the neighbourhood of Alcester. In fact, what was written on the fourth, he had practically contradicted on the twenty-first: and to have allowed any part of the letter, therefore, to carry this later date, would have been to supply the refutation of the very argument which it was intended to support. Hence the expedient to which this writer has had recourse. The postscript and its date are carefully suppressed; and we are told that, looking at the contents of the letter, Garnet, when he wrote it, could have known nothing of the designs of the conspirators:—"Quando scrisse questa lettera, che fu alli quattro d'Ottobre, non sapeva niente del disegno di questi gentilhuomini, altro che il sospetto che prima havéa havuto" (Greenway's MS. 51[b]). Without stopping to notice the falsehood contained in the concluding words of this sentence, and without intending to offer an opinion here, as to the principal question of Garnet's conduct, I may still remark that even the friends of that Jesuit universally admit him to have received the details of the plot from Greenway about the twenty-first; and that this fact alone may be regarded as supplying another and a sufficient motive both to the latter and to Gerard, for the suppression of that date.*—I will distinguish, by inverted commas, those parts of the letter which are given by Gerard. They are the passages particularly intended to illustrate the persecution.—*T.*]

"My very loving sir,"

"This I write from the elder Nicholas his residence,† where I find my

* See Dr. Lingard's note in this Appendix, p. 64, *ante*.—*Editor.*

† [There can be little doubt that by "the elder Nicholas" is meant *Sir Everard Digby*, and that the "residence," from which the letter is written, is *Goathurst*, in Buckinghamshire, the seat of Digby, where Garnet remained for some weeks after his return from St. Winifred's Well. The pilgrimage to that celebrated spot, in

hostess with all her posterity very well: and "we are to go, within few "days, nearer London; yet are we unprovided of a house, nor can find "any convenient, for any long time. But we must be fain to borrow "some private house for a time, and live more privately, until this great "storm be overblown: for most strict inquiries are practised, wherein if "my hostess be not quite undone, she speedeth better than many of "her neighbours.

"The courses taken are more severe than in Bess's time. Every "six weeks is a general court: juries appointed to endict, present, find "the goods of Catholics, prize them, yea, in many places, to drive away "whatsoever they find, *contra ordinem juris*, and put the owners, if "perhaps Protestants, to prove that they be theirs, and not of recusants "with whom they deal. The commissioners in all counties are the most "earnest and base puritans, whom otherwise the king discountenanceth. "The prisoners at Wisbeach are almost famished. They are very close, "and can have no help from abroad: but the king allowing a mark "a week for each one, the keeper maketh his gain, and giveth them "meat but three days a week. If any recusant buy his goods again, they "inquire diligently if the money be his own: otherwise they would "have that too. In fine, if these courses hold, every man must be fain "to redeem, once in six months, the very bed he lieth on: and hereof, "of twice redeeming, besides other precedents, I find one here in "Nicholas his lodging.*

"The judges now openly protest that the king will have blood, and "hath taken blood in Yorkshire; and that the king hath hitherto "stroked papists, but now will strike:—and this is without any least "desert of Catholics. The execution of two in the north is certain:† "and whereas it was done upon cold blood, that is, with so great stay "after their condemnation, it argueth a deliberate resolution of what "we may expect: so that you may see there is no hope that Paul‡ "can do any thing; and whatsoever men give out there, of easy "proceedings with Catholics, is mere fabulous. And yet, notwith- "standing, I am assured that the best sort of Catholics§ will bear "all their losses with patience: but how these tyrannical proceedings "of such base officers may drive particular men to desperate attempts, "that I cannot answer for:—the king's wisdom will foresee."

In my journey, I have met with divers journeymen, and workmen also, to my great comfort; and in every place I have been exceedingly welcome,—more than I deserved.

The party, that promised a hundred marks per annum, is in such

September, 1605, is described by Jardine (ii. 200, 201), and by Garvey, in his examination, Dec. 11, 1605, in the State Paper Office, No. 153.—*T.*]

* [To conceal the name, Gerard, instead of "Nicholas his lodging," gives "this lodging where now I am."—*T.*]

† [*Three* persons had already been executed in the north, during the present year;—Thomas Welbourn and John Fulthering, at York, on the first of August, and William Brown, at Rippon, on the fifteenth of September. Challoner, ii. 12, 13.—*T.*]

‡ [Pope Paul the fifth.—*T.*]

§ [Greenway, who must have known Garnet's meaning, translates this "li primi et principali tra gli cattolici."—*T.*]

want, that I may not urge it. For the new house of prentices* I had provided some several persons, who were come up to London: but I have sent them back to the spring. Sicklemore is a great suitor, and Holtby entreateth for him. He is of good talents and strength of body, and now qualified, as they say, in his choler. I pray you send word if you will have him.

Father Stanny, the Jesuit, is now very well in the Gatehouse, though close: yet it is thought he shall go over, at the French ambassador's request; to which ambassador we are all beholden: and the suit cometh of the ambassador's self. This Father Stanny hath written of himself, that he was sorely tormented with the stone, and had also the measles, and, for want of sleep, fell into conceit the house, where he was, should be searched: therefore, went out, for fear of hurting the family; came to an inn, where, having not slept, in the morning he imagined the town was all in armour, betwixt Catholics and heretics, and so thought he must also do his part, and so called for a knife, and struck the chamberlain. He hath been diversely examined; but all is well ended, and rather edification taken of all sorts, than otherwise; and Catholics esteem of him as of a saint, as, indeed, his carriage, for these twenty years, hath deserved.

I forgot to write again the jest, which once I wrote in the letter which was missent to Joseph,† which he returned to me very unluckily; that is, that Father Persons [having] procured Mr. Thomas Fitzherbert to be the Pope's secretary, exacted, first, an oath that Mr. Fitzherbert should discover all the secrets; which oath prevailing against the other second oath, taken to the Pope himself, divers secrets were known, which Clement knew must needs be discovered by his secretary Fitzherbert, who, either by torture or for fear of the same, disclosed his former oath to Father Persons, who thereupon fled to Naples. This I write, to make you sport: but Mr. Christopher Southworth most confidently reported it.‡

I sent you lately an answer to the complaint of the Benedictines. The gentlewoman is dead, and hath left her husband scarce able to maintain himself, much less to continue the Benedictines' host, as I contend; whom yet I will use with all kindness.

* [He alludes to the noviciate, which was opened in St. John's, at Louvain, in the following year. "Prentices" and "workmen" were the cant terms by which the novices and missionaries were designated.—*T.*]

† [I suspect that, by "Joseph," here and elsewhere, is meant Father Joseph Creswell, the Jesuit superior in Spain. See page 77, *ante*.—*T.*]

‡ [From the fact that this letter is addressed to Persons himself, it is evident that Garnet did not believe the story, at which he is here laughing. It is true, indeed, that Persons had been ordered to quit Rome, and that, only in the preceding May, he had been fruitlessly importuning the general for permission to return (Stonyhurst MSS. Ang. A. iii. 54). Still, from his own letter, it is evident that he was himself unacquainted with the real author of his banishment; a circumstance which, of itself, is quite sufficient to refute the tale circulated by Southworth. I will subjoin his words:—"Two points only now I stand upon, as you will see by my letters to Father General,—the first, that I may have license to return presently, if I wax worse; but, if I grow better, and that Father General will have me stay abroad, that you get out of him upon what ground, that is, who are the causes, to wit, Spain, France, the Pope, &c.; how long it is meant; what I may answer to them that do urge me in that point; whether he will not be content that I use some diligence to remove these obstacles; and the like." Ibid.—*T.*]

Dr. Lingard's pages with a much stronger abhorrence of those hateful penal laws, of that wasting series of persecutions, than if the author had coloured his narrative with even the most indignant and burning eloquence. Dr. Lingard states the fact precisely as it occurred: he leaves the inference to his readers' own reflections. Few would even suspect him to be a Catholic. He relates, with the same straightforward truthfulness, the crimes of Catholics, and of those who have separated from the Church of Rome. It is this admirable spirit of impartiality, this fearless assertion of the truth, that has won for this writer that credit which is universally allowed to be due to his statements. Again and again have his facts been examined and keenly canvassed. They have been found unimpeachable. His accuracy has been the marvel of the most diligent and profound of his opponents, and has again and again wrung from them the reluctant confession that Dr. Lingard is unassailable.

But it is in the notes of the History that the author's toil, and research, and sagacity are most evident. Wherever a doubt existed in his mind as to any particular fact, the reader will see how Dr. Lingard has hunted out all collateral evidence, grappled with every difficulty, and reduced the chaos of conflicting opinion to the order of his own brief and lucid statement. The mere enumeration of his authorities would fill an enormous space; the perusal of those authorities would take a life of ordinary reading. The fearless energy with which he threw himself upon his mighty task, the indomitable perseverance with which he effected it, must be a matter of surprise and admiration to all who are acquainted with the nature of literary toil, and with the difficulties that surround the achievement of a work capable of standing the test of time.

The public are already aware of the successive editions through which the present work has passed, as well as of the various improvements and additions which it received in 1837 from the hand of its author. But though much had then been done, the zeal and industry of the venerable historian slumbered not. The great work of his life was again to receive a most careful revision, and to enjoy the benefit of the most profound and scrutinising investigation. Again he sat in judgment on his noble work. In his seventy-sixth year, when the sands of life in most men are running feebly and slowly, when ease, and calm, and unruffled placidity are mostly the aim of the aged, Dr. Lingard, with astonishing intrepidity, consented to prepare another and still more improved edition. It was to be the crowning effort of his life; his last legacy of love to his country. Every page was again studiously and searchingly examined. Every authority, where the shadow of a doubt existed, was again consulted; every work again examined which could throw the least ray of light, the least glimpse of information, on the many and important events of England's history. The result of this process was the immense mass of additional information which is contained in the present reprint. If published separately, it would fill a large octavo volume; and, if compared with the efforts of his earlier life, when the mind and judgment are supposed to be ripest and strongest, it will assuredly

not fail in the comparison, however rigidly and strictly that comparison may be made. The reader, in fact, will find the same profound tone of thought; the same keen and polished turn of investigation; the same exquisite tact in the balancing of evidence; the same power of rejecting the doubtful, aad placing the fact, and and nothing but the fact, on the firm basis of truth. The majestic structure has been inlaid with stones of greater beauty and greater richness; but so skilful is the joining, that it defies the nicest scrutiny to tell where the original ceases, and where the new material has been supplied.

The present edition possesses, therefore, a great superiority over all preceding ones. In it are garnered the ripened fruits of a long life of literary toil, and every possible emendation that years of anxious research could suggest.

Among the fresh matter introduced, we would particularly call the reader's attention to the origin of the crusades, the controversy respecting the Bayeux tapestry the murder of St. Thomas à Becket, the divorce of Henry VIII., and the death-bed of that monarch. About one-third of the reign of Elizabeth is re-written; and several facts of great and touching interest have been added, relating to the unfortunate Mary Queen of Scots. The revival of Catholicity in England, after its almost entire extinction by the Reformation, claims a large share of the author's renewed investigation; and the Catholic of the present day will trace with interest the struggles of his ancestors under the crushing influence of the penal laws, and will glean many a new and important fact in the reigns of the Stuarts. Dr. Lingard has again particularly devoted himself to this inquiry, so interesting to Catholics, and has had many valuable sources of information thrown open to him. The character of Cromwell is still further unveiled, and a searching investigation with regard to the massacre of Drogheda is appended to the annals of the Protectorate. Finally, in the reign of James the Second, Dr. Lingard will be found to have established several facts which go far to disprove certain hasty and defamatory statements made by Mr. Macaulay in his recent history of that period.

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"Thirty years have passed since the first edition of this valuable work was published. It was looked upon then as a controversial work, or, at the best, an attempt to give such a history of England during the period between the first invasion of this country by the Romans, in the year B.C. 55, to the reign of William and Mary, A.D. 1688, as might serve the views of a party. The reading public have, however, after mature consideration, placed Dr. Lingard among the foremost of living historians. It would be a work of supererogation to attempt now to canvass the merits of this venerable author. We are, therefore, called upon to look at or notice this work in no other light than as the new and improved edition of a British classic. To writing the history of his country Dr. Lingard has devoted his life's best energies, and to carry out his earnest wish he appears to have spared neither mental nor physical labour. The first editions of the work, even as lately as that published in 1837, were criticised and the author rather roughly handled, for the severity with which he had treated the characters of certain historical personages, especially Sir William Wallace (the Scottish hero) and Cranmer, and also for attributing to not generally received causes the Massacre of St. Bartholomew, at Paris, under Charles IX. It appears that he carefully and cautiously reconsidered his original data and his opponents' arguments in all these cases, and came to the same conclusion that he had at first done. We mention this to prove the value of this new edition, as being the fruit of a really energetic search after truth, and not as being necessarilly the exponent of truth itself.

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